

EXTENSIONS OF REMARKS

REPORT OF THE INTER-AMERICAN
DIALOG

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. HAMILTON. Mr. Speaker, I would like to call to the attention of Members the policy recommendations contained in the recently published report of the Inter-American Dialog. The Inter-American Dialog is a unique discussion group comprised of prominent former officials, executives, and scholars from all parts of the Western Hemisphere. Dialog members gather every 18 months for intensive discussions of current policy issues. Their objective is to develop consensus views on key hemispheric problems and challenges. The Dialog's policy recommendations have been consistently original and compelling, and the latest report is no exception. These summary recommendations offer wise guidance for U.S. policy, and they deserve careful consideration by American policymakers.

The text of the summary of recommendations follows:

SUMMARY OF RECOMMENDATIONS

Our report explores the three main challenges facing the hemisphere in the 1990s—how to build regional economic partnerships to enhance global competitiveness; how to protect and advance the democratic gains of the past decade; and how to promote social and economic justice. We set forth a common policy agenda for the nations of the Americas, and offer concrete recommendations that can transform that agenda into joint and effective action—and create the foundations of a genuine Western Hemisphere Community of Democracies.

CHAPTER I—WESTERN HEMISPHERE ECONOMIC
INTEGRATION

With the first building blocks being put in place, the nations of the Western Hemisphere will have the opportunity in the coming years to forge an economic community that will span the Americas and, within a generation, could incorporate nearly one billion persons. An economically integrated hemisphere would enable every nation to become more productive and compete more effectively in the global economy.

We propose a six-point program for grasping this opportunity—a program of economic integration that is hemispheric in scope, comprehensive in coverage, and grounded in social justice and democratic practice.

1. The United States, Mexico, and Canada should proceed to ratify the North American Free Trade Agreement (NAFTA), making sure it or parallel accords give appropriate attention to the environment and to workers' rights. The rejection of the NAFTA at this stage would gut the core of future hemisphere-wide trade arrangements.

2. Latin American and Caribbean governments should intensify their efforts to forge viable sub-regional trade pacts while sustaining their internal processes of economic

reform and trade liberalization. These are essential steps toward hemispheric economic integration.

3. The NAFTA partners should begin consultations with other hemispheric governments to establish criteria, procedures, and timetables for building NAFTA into a Western Hemisphere free trade pact. The NAFTA Commission proposed in the agreement's text could undertake such consultations on behalf of the three governments. In addition to basic economic conditions, requirements for entry to an expanded NAFTA should include a commitment to democratic governance; authoritarian governments should be excluded.

4. Negotiations should begin promptly to incorporate into NAFTA those countries that can meet the entry requirements. Chile is the likely first candidate, given its economic performance, its existing free trade accord with Mexico, and the U.S. pledge to put it next in line.

5. The United States, Mexico, and Canada should work with the countries of Central America and the Caribbean to pave the way for their participation in free trade talks. NAFTA is likely to impose some immediate losses on these countries, and the sooner they can achieve the benefits of broader integration the better.

6. The governments of the Americas should establish a new multilateral organization to guide and coordinate progress toward a Western Hemisphere Economic Community. The existing regional economic organizations—the Inter-American Development Bank (IDB), Organization of American States (OAS), and United Nations Economic Commission for Latin America and the Caribbean (ECLAC)—should play prominent roles in the new coordinated body, along with private business, trade unions, and other non-governmental organizations.

CHAPTER II—THE COLLECTIVE DEFENSE OF
DEMOCRACY

There is movement today, still tentative but clear and growing, toward the formation of a democratic political community in the Western Hemisphere. Nearly every nation of the Americas is now governed by elected, civilian leadership. A democratic network of participatory institutions has emerged, involving political parties, human rights groups, trade unions, professional and business associations, the media, women's organizations, and environmental groups. And the nations of the hemisphere have collectively pledged to promote democracy and to act jointly to defend it where it is threatened or violated. Democracy in each country of the Americas has become the concern of all countries.

To sustain and deepen this progress toward democratic community, two fundamental challenges must be confronted. First, democratic institutions throughout the Americas—public and private—must be made more effective, responsive, and participatory. Second, the nations of the hemisphere must fortify their resolve and capacity to respond to violations of constitutional order.

We propose a nine-point strategy for the inter-American community to meet these challenges.

1. The nations of the hemisphere must actively promote negotiated settlements of Latin America's remaining guerrilla conflicts to end the violence and counterviolence that undermine the institutions and values of democracy. They must also work to stop human rights abuses by vigorously pursuing the findings and recommendations of official and credible non-governmental human rights organizations.

2. Hemispheric governments should together take a fresh look at the missions, size, weapons, and costs of their armed forces—with the objective of establishing firm civilian control over the military. Civilians should be trained to manage security policy and international agencies should be encouraged to monitor military spending.

3. The inter-American community should bolster the basic institutions of democracy in every country. Whenever national elections are endangered by fraud or violence, governments should be pressed to accept international monitors. Non-partisan assistance should be made available to strengthen legislatures and judicial systems, and aid provided to non-governmental organizations.

4. Sustained efforts must be undertaken by every country, individually and jointly, to reduce sharp inequalities and pervasive poverty that exacerbate other threats to democratic rule.

5. The inter-American community must respond rapidly to breakdowns of democratic rule—as called for in the Santiago resolutions of the OAS. All nations of the hemisphere must forcefully condemn the illegal usurpation of power and work collectively to repair the democratic process.

6. The capacity of the OAS to play a leadership role in situations of democratic breakdown must be strengthened. The OAS's new Unit for Democracy needs to be enlarged and better financed. The Unit should cooperate closely with the Inter-American Commission on Human Rights and many other relevant organizations—public and private, multilateral and national, regional and sub-regional.

7. The inter-American community should not try to impose a predetermined solution following a democratic breakdown. In some cases, decisive action might well quickly reverse an illegal takeover of power. But if a rapid turnaround appears unlikely, inter-American efforts should foster negotiations among contending national forces to restore constitutional rule. In situations where the internal order is threatened or where repression is rampant, the OAS should press the authorities to allow a significant civilian mission to establish itself in the country to assist in rebuilding democratic politics.

8. When an illegally constituted government refuses to engage in negotiations to restore democratic order and rejects a civilian mission, the inter-American community should consider applying stronger sanctions. But there should be no automaticity regarding the selection, sequencing, or escalation of sanctions. They must be orchestrated on a case-by-case basis, directed to achieving specific political aims, and supported by a consensus of OAS members.

9. The priority aim of collective hemispheric action must be to restore the demo-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

cratic process as quickly as possible. However distasteful, they may require a compromise solution that accommodates some of the demands of those who illegally took power.

CHAPTER III—THE PROBLEMS OF POVERTY AND INEQUALITY

The struggle against social and economic inequity is the most difficult challenge facing the Americans today. Progress toward consolidating democratic politics, resuming economic growth, and building an economically integrated hemisphere is jeopardized by mass poverty and profound income disparities. Democracy must be anchored in social justice if it is to endure. A vibrant economy requires the productive employment of all sectors of the population.

A genuine Western Hemisphere community can only be built on a foundation of strong national communities in which all citizens participate in political life and enjoy the benefits of economic progress. The challenge for the Americans is to forge a future that is shared by all Americans.

We propose seven measures to meet that challenge.

1. The countries of the Americas should give as much priority to alleviating poverty and reducing inequality as they do to promoting growth. These goals go hand-in-hand.

2. All governments must sustain sound, growth-oriented macroeconomic policies. Government spending must be kept in line with tax revenues and inflation must be controlled. Anti-poverty initiatives are invariably undermined by high inflation and low growth, which reduce wages, destroy jobs, and force cuts in social spending.

3. Anti-poverty strategies should emphasize efforts to raise the productivity of the poor, particularly women. What are required are stepped-up investments in health and education and other programs that enhance the skills and increase the capital assets of low-income groups. Such investments in human capital permanently lift individuals and families out of poverty, reduce inequalities of income and opportunity, and contribute to national growth.

4. Income transfer programs should be targeted to the neediest and most vulnerable population groups. Such targeting can increase the assistance provided to the very poor, while reducing the cost of such programs to governments.

5. Governments must improve the quality of programs that serve the poor. Local governments, community groups, and business and professional associations should be intensively involved in the planning and management of social services. Every effort should be made to exploit opportunities for collaboration between public and private sectors.

6. Programs to reduce poverty and inequality must be consistent with macroeconomic stability and therefore should be financed through some combination of increased taxes, the reallocation of existing expenditures, and external aid. Opening new opportunities for the poor, above all, requires that the better-off pay their taxes.

7. External organizations should put their financial, intellectual, and political muscle behind national anti-poverty programs. The World Bank and the IDB should commit at least one-third of their Latin American lending to poverty reduction. These institutions, along with smaller development and non-governmental organizations, must consistently focus priority attention on poverty and inequality—not only by spending money or imposing conditions on loans, but also

through programs of research and publication, speeches by their officials, and persistent private communications to world political and economic leaders. International agencies should cooperate in building a data collection and analysis system to report on the progress made by every nation in reducing poverty and inequality.

We believe the nations of the Americas have an unparalleled opportunity together to shape their common future. It will take many years, but an important start has been made toward building political and economic community in the hemisphere. Progress now must be sustained and deepened—for the benefit of all Americans.

ECONOMIC DEVELOPMENT ADMINISTRATION SUNSET ACT OF 1993

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. HEFLEY. Mr. Speaker, as part of a continuing effort to reduce the size and complexity of government, today I am reintroducing legislation to abolish the Economic Development Administration.

During the most recent campaign, President-elect Bill Clinton promised to increase government investment in America. He claimed that the United States was falling behind our global competitors and that a new, public-private partnership was needed to restore our economic dominance.

The idea of a public-private partnership is nothing new. Ever since the New Deal, the Federal Government has attempted to use public funds to stimulate private investment and growth. One such program is the Economic Development Administration.

Selected by the Carter administration to lead its urban renewal program, the EDA was offered to the public as a vehicle for targeting investment and leveraging public moneys to attract private funds; a public-private partnership to stimulate the economic development of distressed areas.

Instead of symbolizing the new partnership between public and private interests, the EDA has come to represent Government waste and inefficiency with a legacy of poor management and poorer investments. It is time to put this failed experiment in Federal investment to rest. By terminating the EDA, we can streamline our Federal assistance programs and cut \$200 million from the budget each year.

HISTORY

The Economic Development Agency was created in 1965 as part of the Great Society. It was designed to administer programs providing assistance to States, counties, cities, and communities suffering from substantial, persistent, or potential unemployment and underemployment.

In its inception, the EDA was established to provide assistance to rural areas. Over the years, the EDA's mission was broadened to encompass urban areas and it began to make direct and guaranteed loans to private businesses while continuing to provide grants to State and local governments.

In many ways, the Carter administration's decision to make a flagship out of the EDA

was the program's midas touch. Propelled out of obscurity, the newly enlarged administration began attracting headlines and the EDA's underlying faults became readily apparent.

In 1981, citing a legacy of failed projects and pork-riddled investments, the Reagan administration targeted the EDA for elimination. What followed was a decade-long battle between Congress and the Reagan and Bush administrations that ended when Bill Clinton was elected to the White House.

During the decade, the budget for the EDA dropped precipitously. From a high during the Carter administration of over a billion dollars, the EDA's budget fell to \$257 million in fiscal year 1992. This lower profile, however, has not shielded the administration from continued criticism.

LEGISLATION

The bill I am introducing would terminate the EDA taking effect in fiscal year 1994. The bill would authorize the Secretary of Commerce to continue to operate the EDA's revolving fund until all its current obligations are concluded.

This legislation is not an attack upon the people who work at the EDA. The EDA's failure can be attributed to an unworkable mandate and congressional micromanagement, not civil servants.

It does not eliminate Federal assistance to State and local governments. The Community Development Block Grant Program currently serves many of the same constituents served by the EDA. The CDBG program does it better, with fewer controversies and embarrassments.

This bill is an attack on Government waste. The EDA has invested in empty industrial parks, roads that lead nowhere, and sewer hookups to empty fields. At one point, over 40 percent of the businesses invested in by the EDA were in default.

It's also an attack on pork-barrel spending. When the EDA was created, 12 percent of the population qualified for EDA grants. Today, 90 percent of the country lives in areas eligible for EDA assistance.

Obviously, 90 percent of this country is not economically distressed. Instead, eagerly seeking out Federal dollars, Congress has expanded the EDA's jurisdiction to the point where its original mandate to assist areas with high unemployment has become meaningless.

Furthermore, there is a long list of examples where individual Congressmen have forced the EDA to fund projects that were ineligible for EDA assistance. To many, the EDA became a pork-barrel slush fund for powerful Members of Congress and their friends.

CONCLUSION

The history of the EDA is a history of failure and frustration. Simply put, it is not the Federal Government's job to make local investments. There are too many pitfalls, political and otherwise, to do the job well.

For a President focused on public-private partnerships, the EDA provides Bill Clinton with an excellent example of what not to do. Envisioned as an administration to facilitate economic growth in distressed areas, the EDA became a means for individual Congressmen to fund their pet projects or to provide favors to political allies.

THE CRISIS IN ARMENIA

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. CARDIN. Mr. Speaker, I raise to call attention to the dreadful suffering in Armenia.

My hometown newspaper, the Baltimore Sun, this past Sunday ran a story about the terrible human crisis in Armenia. The headline read: "In Winter's Chill, a Nation's Dying Days." I was shocked by the extent of the hardship that has been inflicted on the Armenian people. I am including a copy of this article in the RECORD so that my colleagues can better appreciate the situation faced by Armenia.

The Armenians are a proud people. After barely surviving a systematic and deliberate massacre at the hands of the Ottoman Empire from 1915 to 1923, Armenia became a Soviet republic. Even under Soviet occupation, the Armenian culture, language, and church has survived. In 1988, Armenia was struck by a massive earthquake that destroyed half of the country's industrial base and left large numbers of people homeless.

With the collapse of the former Soviet Union, the Armenian people gained their freedom and independence. In spite of the earthquake, the hard-working, entrepreneurial spirit of the Armenian people quickly made Armenia one of the most prosperous and successful of the former Soviet republics.

Unfortunately, the demise of the Soviet Union also meant a withdrawal of the Soviet Red Army, which had imposed a series of cease-fires on Armenia and Azerbaijan. In the absence of a peacekeeping force, Azerbaijan erected a blockade against the 3.3 million people living in Armenia. The most devastating aspect of the blockade has been the denial of energy supplies. For many months, the Armenian people struggled to continue some semblance of normal life, allocating the scarce energy resources made available through a gas pipeline from neighboring Georgia.

Last week, Armenia was plunged into frigid darkness when the gas pipeline from Georgia was blown up. Like a scene from a Charles Dickens novel, the sky over the Armenian capital of Yerevan is black from the smoke of wood-burning stoves that litter living rooms across the city. Much of the country is without heat or running water. At most, electricity is available for a couple of hours a day. In a desperate struggle to stay warm, people have stripped the city's parks and streets of trees to feed their wood-burning stoves.

Now, Mr. Speaker, even the flame burning atop the monument to the Armenian genocide in Yerevan has died for lack of fuel. Let us not allow this same fate to befall the Armenian nation.

IN WINTER'S CHILL, A NATION'S DYING DAYS
(By Kathy Lally)

YEREVAN, ARMENIA—The most destructive forces unleashed by the demise of the Soviet Union are bearing down on small, once wealthy Armenia, leaving it on the brink of obliteration.

Most people are living without heat or running water. They have electricity two hours

a day. All major industries are closed, and unemployment is estimated at 65 percent. Packs of starving dogs roam the streets. Last week, a pack attacked and killed a woman.

The Christian country that waited centuries for independence is slowly receding from the modern world, due to a blockade imposed by neighboring Muslim Azerbaijan.

"There are projections that 30,000 people could starve in 1993," says Stuart Willcuts, deputy head of the International Red Cross delegation here, "and 500,000 are at risk."

On Friday night, the United Nations Security Council issued an urgent appeal for fuel and humanitarian assistance for Armenia and the Nakhichevan region of neighboring Azerbaijan. It read:

"The members of the council urge all countries in a position to help to facilitate the provision of fuel and humanitarian assistance and call on governments in the region, with a view to preventing a further deterioration of the humanitarian situation, to allow humanitarian supplies, and in particular fuel, to flow freely."

The plea came after the only gas pipeline still running into Armenia—through Georgia—was blown up a week ago in an attack that Armenia blamed on Azeris living in Georgia.

With this last, weak link to fuel for survival broken, Armenians must call on their last reserves to stay alive. A temporary repair reportedly was made Friday night, but it can deliver only a small percentage of the earlier supply. Repairs to the pipeline are expected to take up to a month, assuming there is no further sabotage.

The fight with Azerbaijan began in 1988 over the predominantly Armenian enclave of Nagorno-Karabakh, which the Soviets had given to Azerbaijan.

Azerbaijan imposed a blockade in 1990 against Armenia, then tightened it into a stranglehold. Civil unrest in Georgia prevents help from that neighbor. Turkey shares another border, but the Turks historically have had no sympathy for Armenians.

A PRIMAL STRUGGLE TO STAY ALIVE

Two years after it began, the blockade is taking an awful toll. Outward signs of civilization are fast disappearing. Life has become little more than a primal struggle to stay alive.

People desperate for warmth and cooking fuel are chopping down practically anything that burns, stripping the city's parks and avenues of trees. The dark nights are filled with the scraping of saws. Morning light illuminates trails of sawdust along disfigured streets.

There is no public transportation. Everybody moves on foot.

Schools shut down Dec. 3 and won't open before March, at the earliest. Children sit at home in darkened rooms with nothing to do.

Newspapers have stopped publishing. Only a few telephones work. Most hospitals have closed, and it's impossible to call an ambulance. Bread factories have been allocated scarce electricity, but a family of four may buy one loaf of bread a day—precious little when bread is the main course, supplemented by potatoes and preserves put up over the summer.

Water pressure is low. Anyone who lives above the first few floors of a building has to carry it by hand.

People are freezing. The temperature drops below 15 degrees at night. An elderly woman was found frozen to death on the steps of the Opera House early last Monday, according to Mr. Willcuts of the Red Cross. Five newborns

reportedly died in the last week because hospitals were unable to keep them warm.

"Babies are dying, dogs are turning into wolves," said Linda Bedeian, director of humanitarian aid for the Armenian Assembly of America. "The streets are full of children pulling sleds with pots of water. Elderly women are sawing away at the trees. By the time summer comes, there will be no trees left in the country."

The city air is filled with blue smoke as people burn whatever they can in homemade stoves—door jambs, floorboards, anything at hand. Garbage piles up on streets.

But there may be worse to come.

The threat of disaster reaches far beyond this nation of 3.8 million people. Armenia's nuclear power plant, shut down after the devastating earthquake in 1988, is endangered by the lack of electricity. Even though it is inactive, the plant needs power to cool and ventilate its nuclear fuel and waste. An accident there could cause damage in the surrounding countries.

"The station is built on the Ararat Valley water basin," said Karine S. Danielian, the Armenian environmental minister. An accident could contaminate ground water in Turkey, Iran, Georgia and Azerbaijan.

"We can no longer assure its safety," Prime Minister Khosrov Harutyunian said last week. "Under the current situation, we can't guarantee a supply of power."

Even more frightening, the Armenian government has decided to reopen the plant despite the opposition of its own scientists, who fear nuclear catastrophe if another earthquake strikes. The plant will take a year and a half to reopen.

"What else can we do?" the prime minister asks.

Yet, in the face of this calamity, many still declare that they have what they need to keep their humanity. They have their freedom.

"Even a dog likes freedom," says Vahagn H. Demirdjian, vice minister of health.

"There is no need to go back," says Ofelia Buznynie, 68, "only to go forward."

Outside on the sidewalk, just a few hundred yards from Yerevan's main square, her son-in-law, Parkev Gyozaian, is chopping up sections of floorboard to burn.

Inside the 20-by-20-foot room in which seven family members live, emblems of normal life are gathering dust. A Christmas tree stands, unreachable, on a window sill. A piano sits in one corner; shelves filled with books and religious pictures line one wall.

Books and music are part of the past—they sit behind a barricade of beds and chairs that have been moved to make room for a tiny stove Mr. Gyozaian built of stone and cement. It's not much, but at least a small pot can boil on it, and some warmth is shed.

"Of course, life was not easy when I was young," says Mrs. Buznynie, sitting with grandchildren Lilit, 4, and Souren, 3, in the dark room.

"We couldn't speak. We were afraid even of the walls. Our land was taken away by the Bolsheviks. Life is harder now than it was then. But then we feared every knock at the door."

As there is no electricity, Mr. Gyozaian no longer has to go to his job repairing traffic lights. So he has become a gatherer of wood, his wife a forager of food.

"I am very happy the Soviet Union collapsed," Mr. Gyozaian says. "What we need now is for our government to find a way to come to a compromise with the Azeris."

"WE CAN STILL LAUGH"

Life is hell here, but never mind, says his mother-in-law.

"We can still laugh," offers Mrs. Buznyne. "Now real love is shown," adds Mr. Gyozaian.

They quickly find the last of their coffee, brew it over the stove, rummage for a flowered china cup, and press this treasure on their visitor.

Kindness refuses to be extinguished here. A woman begging on the street gets small bills from a succession of passers-by.

The government no longer has money to support a Yerevan children's home, says Yelena Kasparian, the director. But the 49 children are loved and protected.

Babies are wrapped in scarves and shawls, and tucked into bunting. Children lie two to a bed, head to toe, keeping warm under blankets. Neighbors offer what they have.

One afternoon last week, two men appeared with a carload of wood. The women who work in the home spend the day at hard labor, heating pots of water and washing clothes and diapers by hand.

"Probably things will be better," says Mrs. Kasparian, "but we will be gone by then."

They wonder here about a world that was so eager to fight communism but now does not seem so eager to help preserve freedom and independence.

"It all turned out to be slogans used by the big powers in areas of the world where they felt the need to use them," says Mrs. Danielian, the environmental minister. "Now they are watching as our people are dying."

Armenia will be without bread for 142 days this year, says Mr. Willcuts of the Red Cross, despite the efforts of the International Red Cross, the U.N. High Commission for Refugees and humanitarian aid from other countries, including the United States—some of which is getting through the blockade.

Armenia had no chance to recover from the 1988 earthquake, which killed 35,000 people and left 500,000 homeless, before the conflict with Azerbaijan turned even more people out of their homes and killed 6,000 people. Ten percent of the population are refugees.

Now, Armenia, the first of the former Soviet republics to privatize its land, the most prosperous of them, is now the most desperately poor.

"I've been in the refugee-related disaster business for 20 years," says Mr. Willcuts, "and I've never seen anything like this. Here you have a developed country that is slipping backward . . . into the Third World."

A week ago, a sewer line burst in Kirovakan in north Armenia, contaminating the water supply and resulting in 300 cases of dysentery and seven deaths.

"Those are official statistics," Mr. Willcuts says. "I believe you can double that. We have ahead of us a potential for even more."

A study done for the U.S. Centers for Disease Control found an increase of 61 percent in diarrheal diseases in the past six months. Viral hepatitis has increased by 163 percent and hepatitis A by 213 percent. Measles is up by 60 percent.

Mr. Demirdjian says Armenia is grateful for the humanitarian aid it has been receiving. But, he says, his country needs peace more than food.

"The international communities try to provide Armenia with food, but no one is trying to prevent the cause," he says. "The Armenian people are hard workers. If the cause were eliminated and the blockade lifted, they could begin to work. They could begin to live as people."

The nation, surrounded and battered, can't prevail over Azerbaijan. Nor can it bring itself to surrender.

"We need foreign countries to use all their authority to pressure the Azeri leadership for a negotiated settlement," says Mr. Harutyunian, the prime minister.

Armenia, says Mrs. Danielian, has no choices left. "I'm one of those people who would prefer to die free."

OUR NATION'S FINEST SPEAK OUT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. STARK. Mr. Speaker, I would like to share with my colleagues a letter I received recently from a constituent of mine in California. He is an officer in the U.S. Navy and wrote to me in support of the President's plan to lift the ban on gays and lesbians in the military.

I will not reveal his name, but he writes as a naval officer who has seen combat and his letter speaks to all those who ask us to defer this civil rights issue to popular opinion in the uniformed services. He makes the case more eloquently than I could and deserves our careful attention.

The letter follows:

I am currently a naval officer on active duty in California. I am registered to vote in my hometown in your congressional district.

I am writing you concerning the current debate on lifting the ban against homosexuals in the military. I have thought long and hard about it and feel it is important that I write to you in order to let you know my opinion/stance.

When I joined the Navy ten years ago, I was very naive in the ways of both the Navy and the world. Most of my perceptions came from what I learned from my parents and at school.

When I was assigned to sea duty in 1987, I served with 350 other men in cramped living spaces on a ship that was older than I was. Throughout the next two and one half years on that ship and a subsequent two year tour on an aircraft carrier I learned one of the most important lessons of my life: that (on the ship) the single, most important characteristic about a person is his or her job performance.

I learned to see past and accept skin color, ethnicity, accent and any number of things that made the sailors in my division different than me. I also learned to accept the ones who trusted me enough to tell me that they were gay. I found that the homosexual sailors' performance was no different than that of the heterosexual sailors'. In many cases, they were among the best of the men I was assigned. When the ship went into the Persian Gulf, I counted on all my sailors, not just the straight ones, to do their job and keep us all alive.

I realize that some people are uncomfortable with the prospect of the gay ban being lifted. I understand their feelings but I do not agree with them. The comfort of some should not preclude the rights of others. If this were the case, I would not be able to serve as I have for the past eleven years; I would instead have been relegated to the jobs which Hispanics and Blacks held prior to the integration of the Department of Defense in the fifties.

I urge you to support President Clinton as he works to lift the ban on homosexuals in

the services and would appreciate a response stating your position on the issue.

THE 50TH WEDDING ANNIVERSARY OF MR. AND MRS. ANGELO INGRAFFIA

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues an exemplary couple from the Third Congressional District of Illinois, Angelo and Barbara Ingrassia. They celebrated their 50th wedding anniversary on Sunday, February 14, and are a role model of the family strength and solidity which has made America great.

Their commitment to each other and their family is impressive and deserving of special recognition and honor. I am sure that my colleagues join me in congratulating Angelo and Barbara Ingrassia on their many years of love and commitment. May their life together continue to be full of joy and offer them many pleasant memories.

THE MONROE COUNTY FARM BUREAU CELEBRATES ITS 75TH ANNIVERSARY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. COSTELLO. Mr. Speaker, I rise today in recognition of the Monroe County Farm Bureau's 75th anniversary. The Monroe County Farm Bureau was formed on December 31, 1917, with Mr. John Gummershimer as its first president. The group organized in the county's seat—Waterloo—and continues to meet there today.

A special celebration in honor of this anniversary will be held on February 28, 1993, in Hecker, IL. I am pleased to have been invited to celebrate this special occasion with Monroe County Farm Bureau members. Many descendants of the founding members are still active in the group today, and under the leadership of current president, Lyle Wessel, it has grown to include approximately 2,800 members. I thank my colleagues for joining me in recognizing this 75th anniversary.

LETTER TO DR. RONALD W. ROSKENS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. BEREUTER. Mr. Speaker, given the distinguished service of Dr. Ronald W. Roskens as the Administrator of the U.S. Agency for International Development during the Bush ad-

ministration, and the fact that he is a long-term resident of Nebraska, I thought it was entirely appropriate to call to my colleagues' attention the very complimentary letter my distinguished colleague from the Third District, BILL BARRETT, sent to Dr. Roskens. Before Dr. Roskens completed this challenging assignment he had served as the chancellor of the University of Nebraska-Omaha, and the president of the University of Nebraska system in a fashion that was highly regarded by Nebraskans. This Member joins his Nebraska colleague in the sentiments of the following letter, and extends our best wishes to Ron and Lois Roskens as they turn to crucial and challenging new international roles from their Omaha location through his position as head of Action International, a council of top world leaders from diverse important nations:

December 4, 1992.

Dr. RONALD W. ROSKENS,
Director, USAID, Washington, DC.

DEAR RON: Although this is but a brief note, it still brings thanks and accolades to you as you bring to a close your leadership at USAID. While you've had to guide the agency through difficult times and controversy, you met every challenge and successfully accomplished your mission. The country is indebted to you for taking time to serve her so well.

Certainly this note would not be complete if I did not welcome you back to Nebraska and wish you the very best as you start a new chapter in your career with Action International. I'll be interested in the work of this new organization, and I hope you'll stay in touch and let me know if ever I can be of assistance.

Please give my best to Lois. And again, congratulations and best of luck in the future!

Sincerely,

BILL BARRETT,
Member of Congress.

TRIBUTE TO GORHAM BLACK: "A CHAMPION FOR THE ELDERLY"

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today to pay special tribute to one of Pennsylvania's outstanding citizens, Gorham L. Black, Jr., who recently passed.

Gorham Black was the first secretary for the Pennsylvania Department on Aging, and I might add that he served with distinction in this position from 1979 until 1984 when he retired. Under the leadership of Mr. Black, Pennsylvania's Department of Aging was widely recognized as a model and an institution characterized by its vast productivity in the field of aging.

In his capacity as the secretary of the Pennsylvania Department of Aging, Mr. Black was instrumental in securing passage of the pharmaceutical assistance contract for the elderly, which assisted more than 500,000 elderly persons to obtain prescriptions at affordable costs.

Mr. Speaker, Gorham Black excelled as a member of the National Caucus and Center on Black aged; he also served as a member

of the board of directors where he later became cochairman. Mr. Black appeared before Congress and the executive branch as a leading spokesperson on the problems affecting elderly African-Americans and other low-income older Americans. Mr. Black was especially well-known for the inspiration and encouragement that he provided to elderly blacks when he spoke throughout our great Nation.

Gorham was also the 1989 recipient of the prestigious Living Legacy Award which is conferred by the National Caucus and Center on Black Aged. The aforementioned is the highest accolade and honor that the National Caucus and Center on Black Aged awards to elderly African-Americans for their contributions to the society in a wide range of fields. Past recipients of this award include the late Supreme Court Justice Thurgood Marshall, Dr. Martin Luther King, Jr., Jesse Owens, Aaron Henry, Dorothy Height, Robert Weaver, and numerous luminaries.

Mr. Speaker, Gorham Black spent 27 years serving his country in the U.S. Army, whereby such service spanned from 1941, when he enlisted as a private, to 1968, when he retired as a colonel. He saw combat duty as an infantry officer in World War II and the Korean conflict. He was awarded the Silver Star, Legion of Merit, Purple Heart, and several other awards.

Mr. Speaker, just as other organizations have recognized Gorham's unselfish contributions to our society, I too ask that you and other colleagues join me and the State of Pennsylvania in saluting Gorham Black.

Mr. Speaker, Mr. Black was a model citizen and a community activist; I am therefore delighted to take this opportunity to salute his long-standing dedication to the senior citizens in Pennsylvania and across the United States.

HEARING OF THE ECONOMIC DEVELOPMENT SUBCOMMITTEE

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. FILNER. Mr. Speaker, on February 3, 1993, the Economic Development Subcommittee of the House Committee on Public Works and Transportation held the last of three hearings on the subject of "Investing in America's Infrastructure: Short and Long-Term Strategies." My testimony to the committee, which follows, stressed the necessity of linking short-term economic stimulus and long-term economic conversion.

Today and in past hearings we have heard about the state of our economy: unacceptable unemployment and underemployment rates, families without jobs and food on the table, and an aging and inadequate infrastructure plague every part of the Nation. Like many other places, my home town of San Diego has hundreds of projects that are ready-to-go and, with adequate resources, could be employing thousands of people within 3 months.

These projects total hundreds of millions of dollars. They will improve our region's economy through infrastructure investment and the creation of jobs. These projects are in the

areas of technology, environment, public safety, library, housing, water, transportation, neighborhood pride and protection, parks, and commercial revitalization.

Chairman MINETA mentioned specificity yesterday. I have here with me wish lists from the city of San Diego, San Diego County, the city of Chula Vista, and the San Diego Unified School District. These lists mention hundreds of very specific projects, their cost, and the number of jobs each project would create. All of these projects are ready-to-go, but they require funding.

Financing of these ready-to-go projects is a worthy goal, as is putting America back to work, and we on this committee must commit ourselves to making it happen. But as we consider the short-term infrastructure stimulus, we must begin to link this strategy with long-term economic conversion plans.

Like many other cities in this Nation, San Diego is heavily dependent on defense spending, and is suffering because of defense cutbacks. We have already lost thousands of jobs and several multimillion dollar defense contracts.

We have begun the painful process of weaning ourselves from the military, but it is not an easy process and it is one that requires a tremendous amount of resources. When I was on the San Diego City Council, I convinced the council to adopt an economic conversion plan, and obtained a Federal grant for this program. But, we have a long way to go.

As this Nation realizes the critical need for both economic conversion and economic stimulus, we must start thinking of how we can accomplish both with the same resources. We must formulate a plan in which defense companies with conversion plans get priority on projects we are financing to stimulate the economy and repair our Nation's infrastructure. We must link new projects with existing and future job retraining programs.

For example, under the Clean Water Act, San Diego will be building multibillion dollar sewage treatment and water reclamation systems. At the same time, however, we have aerospace and high-technology defense contractors losing contracts. As we build these new sewage and reclamation facilities, let us give preference to defense contractors with approved conversion plans. As we hire engineers and mid-level managers for these projects, let us give priority to laid-off workers currently being trained for other jobs which may or may not exist.

The city of San Diego is also interested in constructing a \$25 million Traffic Control Communications Systems for "smart roads and highways." Many defense technologies are perfectly suited to the development of these smart systems and we should ensure that we link available technology with need as we finance these infrastructure improvements.

We must begin to think about linking all the short-term stimuli to long-term economic diversification projects. In this regard, we would be fulfilling two national objectives at the same time while using one source of funds. And we would be helping our defense industries diversify into civilian markets and domestic need.

This is a vital link which we cannot ignore and I would respectfully ask the subcommittee to consider all of these discussions in the con-

text of this Nation's economic conversion needs.

LYME DISEASE AWARENESS

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, as the Member of Congress representing the area with the most reported cases of Lyme disease in the country, I have introduced legislation that would designate the week of June 6, 1993 and June 5, 1994 as Lyme Disease Awareness Week. Senator JOSEPH LIEBERMAN of Connecticut is introducing identical legislation in the Senate. I appreciate this opportunity to provide my colleagues with some background on Lyme disease, and why I believe that this legislation is worthy of their full attention.

Although Lyme disease was first officially reported just 18 years ago in Lyme, CT it has fast become the most common tick-borne disease and one of the fastest spreading infectious diseases in the United States. If treated early, the disease can be cured by antibiotic therapy; however, early diagnosis is often thwarted by the disease's resemblance to the flu and other less dangerous ailments. Indeed, without early treatment, a victim of Lyme disease can expect severe arthritis, heart disease, or neurologic complications. Later effects, often occurring months or years after the initial onset of the disease, include destructive arthritis and chronic neurologic disease.

Many people never even know that they have been bitten by this tick because it is so small. The tick which spreads that disease is the size of a comma in newsprint. The parasite can attach itself, feed, and detach itself to lay its eggs, all without the host's knowledge. Moreover, a person might not develop the tell-tale rash at the site of the tick bite, leaving a person clueless as to the cause of his or her ailment. Without the characteristic rash, doctors may have difficulty diagnosing Lyme disease. In addition, standard blood tests often do not reveal the presence of the spirochete.

Originally thought to be exclusively a regional problem of the coastal Northeast, Lyme disease is spreading rapidly to all areas of the country. In fact, since the Centers for Disease Control [CDC] began recording Lyme disease cases in 1982, more than 40,000 cases of Lyme disease have been reported to the CDC from 49 States. In 1991 alone, 9,300 new cases were reported to the CDC. However, because diagnosis is difficult and public awareness about the disease is limited, it is estimated that thousands of cases have gone undiagnosed, unreported, and—worse yet—untreated.

Mr. Speaker, because no vaccine currently exists for this disease, the most effective way to combat disease is through prevention. The key to prevention is education of the public. It is for this reason that Senator LIEBERMAN and I have introduced Lyme Disease Awareness Week. I hope my colleagues will join us in bringing this debilitating disease to the atten-

EXTENSIONS OF REMARKS

tion of all Americans by supporting this important resolution.

THE INTRODUCTION OF A BILL TO AMEND THE ENDANGERED SPECIES ACT

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. FIELDS. Mr. Speaker, today I am introducing, along with our distinguished colleague HENRY BONILLA, an essential bill to solve a serious problem facing the city of San Antonio, TX.

On February 1, 1993, U.S. District Court Judge Lucius D. Bunton issued a ruling under the Endangered Species Act that will require that the water flows at the Comal and San Marcos Springs be maintained, even during a drought, to preserve the one-inch fountain darter. In order to comply with this ruling, current users will have to severely reduce the amount of water that is pumped from the 175-mile underground river known as the Edwards Aquifer. This aquifer is the source that feeds the Comal and San Marcos Springs.

Judge Bunton has also ruled that the State of Texas has until May 31, 1993, to develop a plan to regulate the spring flows. While the Texas legislature will, in all likelihood, comply with that arbitrary deadline, it is impossible for the city of San Antonio to develop alternative water supplies by that date.

This ruling presents a serious problem because the Edwards Aquifer is the sole source of drinking water for the 1.5 million residents of San Antonio, which is our Nation's ninth largest city. It has been estimated that compliance with the judge's ruling will result in a 68 percent reduction in available water. This will have a devastating impact on the city of San Antonio, Bexar County, and six other adjacent jurisdictions.

There is no alternative source of water to replace the Edwards Aquifer. It will take 5 to 10 years for significant amounts of non-aquifer water to become available at a cost of \$500 million to \$1.5 billion. This is clearly unacceptable.

Furthermore, initial elements of trying to maintain water flows at Comal Springs, based on the worst case scenario of a drought, include: A \$9.6 billion annual reduction in spending; a \$5.2 billion annual reduction in total output; a \$3.3 billion annual reduction in personal income; a \$2.6 billion annual reduction in wages and salaries; a \$1.3 billion annual reduction in retail sales; and a permanent loss of 136,703 jobs with a disproportionate share of the impact being felt by low income minority families.

Mr. Speaker, these are devastating impacts and this ruling makes it clear why the Endangered Species Act must be reformed. We must clarify that this law was never intended to prevent the availability of our most basic human necessity—water. We must amend this act to ensure that the needs of people are considered just as carefully as one-inch fountain darters.

I am, therefore, introducing legislation today that would exempt the Edwards Aquifer from

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the Endangered Species Act. Under my bill, if a drought were to occur and water supplies were to be rationed, then priority would be given to human consumption of that water rather than simply reserving it solely for the fountain darter.

There are certain groups that advocate limiting the amount of water that may be pumped from the aquifer and want to dictate to farmers and ranchers how much water they may use. This is an outrage, and I will strongly oppose any effort that denies any Texas citizen the right to fully utilize his or her own water rights.

The Endangered Species Act is designed to ensure that endangered and threatened species are protected for future generations. Nevertheless, Congress has a responsibility to protect not only fauna and flora but to protect our citizens' basic constitutional right to be able to enjoy their private property. We can have both a strong Endangered Species Act and continued economic development.

If my bill or other similar relief legislation is not enacted, then the fine people of San Antonio could truly become the endangered species. And make no mistake, this onerous judicial ruling can easily be applied in the future to other cities and communities throughout this Nation.

We must not forget the people of San Antonio and we must enact the legislation I am proposing today. I urge my colleagues to join with me in this vital effort.

THE NEED FOR NATIONAL HEALTH CARE REFORM NO. 3: SPENDING HIS LIFE SAVINGS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. STARK. Mr. Speaker, one more example of the desperate need for health reform; last fall one of my Oakland constituents wrote about her brother who lost his life savings following a heart attack.

Her brother had worked for a small family-owned company with five employees. Several years ago they stopped providing their employees with medical benefits, because they could not afford it. My constituent's brother exhausted his COBRA health continuation benefits, and when he had his heart attack at age 59, 6 years before Medicare eligibility, he had no health coverage at all. After his attack, he paid the county hospital \$18,000—his life savings—for the 8 days in the hospital.

As my constituent writes:

Now my brother is faced with the reality of spending his life savings to pay for hospitalization and doctors, which is very devastating for him and does not help toward recovery * * * If Washington remains insensitive and does not move on this critical issue, it may well lead to the genocide of the poor in this land of plenty.

Mr. Speaker, it is way, way past time to make sure that all Americans, regardless of age or medical condition, have health insurance.

TRIBUTE TO MR. LEONARD
GARDNER

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. COSTELLO. Mr. Speaker, I rise today in honor of a leader in Illinois agriculture issues—Leonard Gardner. At the end of last year, Len retired from the Illinois Farm Bureau after 36 years of service. Len joined IFB as a research department assistant immediately after graduating from the University of Illinois. He later served as assistant to the president for 6 years and IFB secretary for 10 years. At the time of Len's retirement, he was serving as executive director of governmental affairs, overseeing IFB concerns at all levels of government.

Beside his work with IFB, Len has been active in other matters to benefit his community and State. He has served on the Illinois Commission on the Future of Public Service and the Committee to Implement the 1970 Constitution. In addition, he presently serves on the board of directors of both the Taxpayers Federation of Illinois and the Bank of Illinois in Normal.

Len will be recognized at a special retirement party on Monday, February 22, in Springfield. Our former House colleague and Agriculture Secretary Ed Madigan will be the guest speaker at this occasion. I thank my colleagues for joining me in recognizing Len's 36 years of service and leadership to the IFB.

EAGLE SCOUT HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues, an outstanding young individual from the third Congressional District of Illinois who has completed a major goal in his Scouting career. On January 24, 1993, in Riverside, IL, John Flynn was honored at an Eagle Scout Court of Honor.

It is important to note that less than 2 percent of all young men in Scouting in America attain the rank of Eagle Scout. This high honor can only be earned by those Scouts demonstrating extraordinary leadership abilities. John's Eagle Scout project was collecting clothes for Hessed House, a homeless shelter in Aurora, IL. With the help of others in the community, John was able to collect over 200 boxes of clothes and food. In addition, John shows his commitment to his community by participating in numerous other activities including being an altar server at St. Mary's Church in Riverside, a den chief for Pack 92 Webelos, and a crossing guard. He also belongs to the YMCA Leaders Club in Berwyn, IL.

In light of the commendable leadership and courageous activities performed by this fine young man, I ask my colleagues to join me in honoring John Flynn for attaining the highest

honor in Scouting—the rank of Eagle. Let us wish him the very best in all of his endeavors.

PROTECTING WORKERS'
POLITICAL RIGHTS

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. LEWIS of Florida. Mr. Speaker, Thomas Jefferson once said that "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical."

These words articulate an important American principle. The Supreme Court upheld this principle in *Communication Workers of America versus Beck*, the 1988 case in which the Court held that a union may not use fees collected from an employee, if that employee objects, on activities unrelated to collective bargaining, contract administration, or grievance adjustment.

In April 1992, President Bush issued an executive order requiring Federal contractors to post notices informing employees of their rights under the Beck decision. Unfortunately, on February 1, 1993, President Clinton rescinded this order.

Workers should be informed of their right to refuse to contribute to causes with which they do not agree. Unions collected more than \$10 billion in dues in 1991, and in some unions, more than half of dues are spent for political purposes. Workers who are unaware of their right to refuse to subsidize union political activity are left victim to the political agendas of union bosses.

Today I am introducing legislation to reinstate the Bush Executive order implementing the Beck decision. I call on my colleagues to join me in this effort to ensure that working Americans know their rights regarding union dues spent on political activities.

VOTER FRAUD BILL OF 1993
(H.R. 2)

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. MICHEL. Mr. Speaker, 2 weeks ago we passed legislation that I opposed for a variety of reasons. The National Voter Enhancement Act of 1993 requires States to provide voter registration at driver's license bureaus and public assistance offices and through the mail, without providing the necessary funds. Further, it mandates reduced mail rates for voter registration purposes, without providing funding to offset this subsidy.

Illinois State officials responsible for election security are overwhelmingly opposed to this bill for the same reason I opposed it. According to Theresa M. Petrone, a member of Illinois' State Board of Elections, an estimated \$40,836,378 would be necessary for start up costs alone for the Illinois State government. This does not include additional costs nec-

essary in each county, which would be millions more.

The following are excerpts of correspondence I received from Theresa Petrone, Governor Edgar of Illinois, and Governor Thompson of Wisconsin:

Theresa Petrone, Member of the Illinois Board of Elections

Without a doubt I believe that the intent of this (National Voter Registration Act of 1993) proposed legislation to increase voter participation is commendable. Though voter participation greatly increased in the last election, it remains a serious problem. Certainly voter registration should not in any way impose unnecessary barriers to voting. Likewise, methods of increasing opportunities for voter registration should not increase the potential of vote fraud and must be administratively feasible. I do not know where the State of Illinois would find the millions of dollars necessary to put this bill into practice.

Illinois has problems in implementing this legislation which may be unique. Our past reputation for vote fraud, deserved or not, has caused us to establish procedures which ensure the integrity of the electoral process and which we would be most reluctant to eliminate. As recently as last November over 300 names of deceased voters were discovered on the registration rolls in East St. Louis, Illinois, even though purging is required every two years and the Department of Health supplies death records to election officials. Records show that the voting participation of some of these deceased actually improved after death.

Under current Illinois law, a registrant's address is verified by mail (to ensure the integrity of the electoral process). Due to the configuration of the state and the requirements of this proposed legislation, this verification process may have to be eliminated. It would be extremely unlikely that registrations executed in southern Illinois could be mailed to northern Illinois and processed in a timely fashion to allow for absentee voting.

Presently, registration in Illinois closes 30 days prior to an election. If a registration is taken in an office in Carbondale, Illinois, at the southern tip of the state and the location of one of the major state universities, the registration cards would take a minimum of 7 days to be delivered to the office of the Chicago Board of Election Commissioners in the northern portion of the State. The election office is then required to verify the registration address by mail. This process would probably take another 7-10 days as time must be allowed for the mail to be returned to the office if the address is not valid. The voter must then be sent an application for ballot which must be completed and returned to the election office. This would possibly take another 10 days if the voter responds immediately. Mailing, voting and returning the ballot would account for an additional 10 days at the very minimum. If all goes well, the length of time required for such registration and absentee voting would be 34 days (7+7+10+10). Too late to count the ballot!

The alternative is to develop a network for registration across the state. The estimated cost of such a computer network is approximately \$40,000,000.

Current Illinois law also provides for a signature verification process in the polling place. A second copy of the registration card bearing a verified signature is used for this purpose. The universal registration card provided for in the proposed legislation and the

mail registration most likely will eliminate the second copy of the registration card and the verified signature. I realize that few states require signature verification by the pollworkers as they are not handwriting experts. However, experts or not, I believe that signature verification by anyone is a psychological deterrent to vote fraud. Technology is in place to allow Illinois to retain signature verification with this federal legislation. Such a signature retrieval system is estimated to cost approximately \$12,000,000.

Many of the provisions in H.R. 2 have been debated in the Illinois General Assembly and rejected. As a firm believer that each state understands best how to facilitate its electoral process, I must oppose many of the implementation requirements in this bill.

GOVERNOR JIM EDGAR, STATE OF ILLINOIS

I am opposed to this ("motor-voter" bill) legislation and I urge you to vote against it.

The motor-voter bill will require a massive statewide voter registration program at all state offices without providing for the administrative costs of this service. It will, however, increase the waiting time for all applicants for state services, including those applying for unemployment compensation and driver's licenses, as well as contribute significantly to voter fraud in the state. In addition, the Federal Election Commission suggests that registration requirements have no significant effect on participation rates. Voters are motivated by candidates and issues, not by mandating yet another method of voter registration.

H.R. 2 is simply another unfunded federal mandate that places administrative costs and burdens on the state and taxpayers of Illinois while contributing to delays for state services and increasing the risks of voter fraud. For these reasons I oppose H.R. 2, the National Voter Registration Act, and I urge you to vote against this legislation as it comes before the House.

GOVERNOR TOMMY THOMPSON, STATE OF WISCONSIN

I am writing to express my opposition to H.R. 2, the National Motor Voter Registration Act. I support efforts to improve voter registration, however, this legislation is not an effective means of achieving that goal.

In December of 1991, I vetoed a bill passed by the Wisconsin Legislature that would have established a registration system similar to that proposed in H.R. 2. The legislation was not a cost effective means of improving Wisconsin's voter registration program which is already among the best in the nation.

Although Wisconsin would receive an exemption from enacting provisions of the program because it is one of three states to permit same-day voter registration at the polling place, I must object to this attempt by Congress to pass another unfunded mandate on the states. The bill will require states to provide voter registration at driver's licensing centers and other public assistance offices and through the mail without providing the necessary funding.

Unfunded mandates are stealing resources from the states stifling state initiative. The 101st Congress passed legislation imposing twenty two mandates costing states over \$15 billion and several others were passed in the 102nd Congress that impose further burdens. I am opposed to H.R. 2 and I am hopeful that you will vote against this faulty bill.

TRIBUTE TO FOUR HEROES

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mrs. ROUKEMA. Mr. Speaker, I would like to pay tribute today to four heroes. George Lansing Fox, Alexander David Goode, Clark Poling, and John Washington, four chaplains in the U.S. Army who were killed when their ship, the U.S.S. *Dorchester*, was torpedoed off the coast of Greenland during World War II. The heroic deaths of these men will be observed on February 6, 1993, by the Cpl. Jedh C. Barker Memorial Post of the American Legion.

George Lansing Fox received a Silver Star, a Purple Heart, and France's Croix de Guerre for service in World War I. He began preaching in a Methodist church in Vermont at the age of 34. After the bombing of Pearl Harbor, Fox, who was by then past 40, volunteered for the Corps of Chaplains and left behind his wife and two sons.

Alexander David Goode joined the National Guard while he was still in high school. He served 9 years before he became a rabbi, following his father and grandfather's example. He led a temple in York, PA, before joining the Corps of Chaplains seeking overseas duty. He left his wife, Teresa, behind.

Clark Poling was a free-spirited youth who announced to his father that he intended to break from the family tradition of entering the ministry to become a lawyer. But after a year of college, Clark could no longer ignore the call and became the eighth generation of ministers in his family when he was ordained in 1938. He moved to New York where he helped revive the First Reformed Church (Dutch) in Schenectady. Clark left behind his pregnant wife and their 2-year-old son.

John Washington, who was born in Newark, was stricken with a severe throat infection at the age of 12. Although he was expected to die—a parish priest administered last rights—John recovered and confided in his sister that he believed God had something special for him to do. Ordained a Catholic priest in 1937, John served at St. Joseph's Church in North Arlington, NJ.

These four men of four faiths had one duty. They were aboard the *Dorchester* to ease the minds of the soldiers. They held worship services, offered sympathy to those suffering from illness, and broke the tension on the ship with laughter and song.

On February 3, 1943, the true mettle of these men was put to the test. At 12:55 a.m. the *Dorchester* was torpedoed by a U-456. As panic swept through the ship, the chaplains stood as beacons of calm and order.

They directed the soldiers to their lifeboat stations. They distributed lifejackets to those who had left their own below deck. And after all the lifejackets had been given out, the chaplains handed over their own jackets. Chaplain Goode even gave his own gloves to Coast Guard CPO John Mahoney who had left his in his cabin.

As the *Dorchester* began to slide beneath the sea, the four chaplains locked arms and began to pray. Other men drew close and

joined in the prayers. There were no screams, no fear, just prayer. And though the prayers were said in the different languages of Latin, Hebrew, and English they were all directed to the same God.

Of the 904 men who were on board the *Dorchester*, 605 died. Survivors, like John Ladd, will never forget the heroism of the chaplains. In Ladd's words, "It was the finest thing that I had ever seen, or hope to see, this side of heaven."

Mr. Speaker, on January 18, 1961, this body posthumously bestowed upon the four chaplains a Special Medal of Heroism; it was the only one ever given. Since that time, February 3 has come to be known as Four Chaplains Observance Day. Previous to that, Philadelphia's Chapel of the Four Chaplains was dedicated as an interfaith shrine in 1951.

Mr. Speaker, the efforts of these four men on the *Dorchester* that cold February night saved the lives of hundreds of soldiers. They, along with the entire country, owe a debt of gratitude to the four chaplains. It is for that reason that I urge my colleagues to join with me and the Cpl. Jedh C. Barker Memorial Post of the American Legion in paying tribute to these fine men. The memories of their heroic deeds will live on for generations to come.

LIBERATION OF CUBA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. DIAZ-BALART. Mr. Speaker, for 34 years the Cuban people have been victimized by the most brutal dictatorship in the Western Hemisphere.

Massive and systematic violations of the most fundamental human rights have characterized the rule of Fidel Castro from the very beginning of his regime. From torture in various forms, including by psychiatry, to execution, exile, confiscation, political imprisonment and other forms of repression, the totalitarian nature of the Cuban dictatorship deprives the Cuban people of any peaceful recourse to improving their own condition and has led thousands to lose their lives attempting to escape Cuba to freedom, or fighting for freedom.

Congress has historically and consistently manifested its solidarity and the solidarity of the American people with the Cuban people and their democratic aspirations.

Last fall, Congress spoke firmly and in a bipartisan way through the Cuban Democracy Act of 1992, by perfecting the United States policy of refusing to trade with the Cuban dictatorship.

In fact, the only sanction existing in the world today against the unprecedented and extraordinary violations of human rights by the Castro dictatorship, is the unilateral United States policy embodied in the Cuban Democracy Act of 1992.

While that policy, our policy, shines as a beacon of solidarity with an oppressed people in an indifferent world, we cannot, nor will we stand still, until the Cuban dictatorship is eliminated and democracy returns to Cuba. The

time has come to clearly and unequivocally ask the world community to join us in helping the Cuban people end their oppression and recover their liberty.

In recent years the United Nations has determined that massive and systematic violations of human rights have constituted threats to peace under article 39 of its charter and has, accordingly, imposed international sanctions against the former Rhodesia, South Africa, Iraq, and the former Yugoslavia.

A number of Members of Congress sent a letter to President Clinton a few weeks ago requesting mandatory U.N. Security Council sanctions against the Haitian dictatorship. I signed that letter, as a supporter of democracy for the Haitian people and as a manifestation of my rejection of double standards with regard to human rights in our hemisphere.

The concurrent resolution that we are filing today resolves that it is the sense of the Congress that:

1. The United States considers the acts of the Castro government, including its massive, systematic, and extraordinary violations of human rights, a threat to international peace; and that

2. The President should advocate, and should instruct the United States representatives to the United Nations Security Council to propose and to seek, a mandatory international embargo against the totalitarian government in Cuba pursuant to Chapter 7 of the Charter of the United Nations.

I am hopeful that President Clinton, who's support was instrumental in the passage of the Cuban Democracy Act last fall and who has, subsequently, personally expressed to me his commitment to the liberation of Cuba, will support our efforts to ask the international community to join the United States in adopting a policy designed to accelerate the liberation of a people who, 90 miles from our shores, have been the victims of a brutal dictatorship for 34 years.

H. CON. RES. —

Whereas the United States has shown a deep commitment, and considers it a moral obligation, to promote and protect human rights and fundamental freedoms as expressed in the Charter of the United Nations and in the Universal Declaration of Human Rights;

Whereas the Congress has historically and consistently manifested its solidarity and the solidarity of the American people with the democratic aspirations of the Cuban people;

Whereas the Cuban Democracy Act of 1992 calls upon the President to encourage the governments of countries that conduct trade with Cuba to restrict their trade and credit relations with Cuba in a manner consistent with the purposes of that Act;

Whereas the 1992 FREEDOM Support Act requires that the President, in providing economic assistance to Russia and the emerging Eurasian democracies, take into account the extent to which they are acting to "terminate support for the communist regime in Cuba, including removal of troops, closing military facilities, and ceasing trade subsidies and economic, nuclear, and other assistance";

Whereas the Government of Cuba has engaged in the illegal international narcotics trade and harbors fugitives from justice in the United States;

Whereas the Castro government has threatened international peace and security by engaging in acts of armed subversion and terrorism such as the training and supplying of groups dedicated to international violence;

Whereas the Castro government has utilized from its inception and continues to utilize torture in various forms (including by psychiatry), as well as execution, exile, confiscation, political imprisonment, and other forms of terror and repression, as means of retaining power;

Whereas Fidel Castro has defined democratic pluralism as "pluralistic garbage" and has made clear that he has no intention of tolerating the democratization of Cuban society;

Whereas the Castro government holds innocent Cubans hostage in Cuba by no fault of the hostages themselves solely because relatives have escaped the country;

Whereas although a signatory state to the 1928 Inter-American Convention on Asylum and the International Covenant on Civil and Political Rights (which protects the right to leave one's own country), Cuba nevertheless surrounds embassies in its capital by armed forces to thwart the right of its citizens to seek asylum and systematically denies that right to the Cuban people, punishing them by imprisonment for seeking to leave the country;

Whereas the United Nations Commission on Human Rights has repeatedly reported on the unacceptable human rights situation in Cuba and, in Resolution 1992/61, took the extraordinary step of appointing a Special Rapporteur;

Whereas the Government of Cuba refused access to the Special Rapporteur and formally expressed its decision not to "implement so much as one comma of Resolution 1992/61";

Whereas on December 4, 1992, the United Nations General Assembly passed Resolution 1992/70 which "Regrets profoundly the numerous uncontested reports of violations of human rights and fundamental freedoms" described in the Special Rapporteur's report to the United Nations;

Whereas Article 39 of Chapter VII of the United Nations Charter provides that the United Nations Security Council "shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken . . . to maintain or restore international peace and security";

Whereas the United Nations has determined that massive and systematic violations of human rights may constitute a "threat to peace" under Article 39 and has imposed sanctions due to such violations of human rights in the cases of Rhodesia, South Africa, Iraq, and the former Yugoslavia;

Whereas the totalitarian nature of the Castro regime has deprived the Cuban people of any peaceful recourse to improving their own condition and has led thousands of Cuban citizens to risk or lose their lives in attempting to escape from Cuba to freedom; and

Whereas the Cuban people deserve to be assisted in a decisive manner to end the tyranny that has oppressed them for 34 years: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) The United States considers the acts of the Castro government, including its massive, systematic, and extraordinary viola-

tions of human rights, a threat to international peace; and

(2) the President should advocate, and should instruct the United States representatives to the United Nations Security Council to propose and to seek, a mandatory international embargo against the totalitarian government of Cuba pursuant to chapter VII of the Charter of the United Nations.

REINTRODUCTION OF THE ENTERPRISE CAPITAL FORMATION ACT OF 1993

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. MATSUI. Mr. Speaker, today I rise to introduce, with Representative HOAGLAND, and in conjunction with Senators BUMPERS and BROWN in the Senate, the Enterprise Capital Formation Act of 1993. We are doing so because this legislation is critical to reinvigorating our stagnating and job-poor economy.

Prior to 1991 and after the enactment of tax reform in 1986, few economic issues provoked more public controversy than whether to reintroduce preferential treatment for capital gains. At the hiatus of the argument in 1990, politics nudged economic theory aside and the debate became one of rich versus poor and tax fairness.

It was only in the last session of Congress that a consensus was reached and Democrats and Republicans alike supported the targeted capital gains approach put forward in the Enterprise Capital Formation Act. Portions of this proposal were included in both tax bills passed by both the House and Senate last year, but subsequently vetoed by President Bush. President Clinton endorsed this proposal during his campaign, and Treasury Secretary Bentsen cosponsored a portion of this targeted approach himself last year during consideration of the second tax bill.

The proposal that we are reintroducing aims to promote economic growth the job creation. It is targeted at seed and venture capital investment because it is a well-known fact that emerging firms are critical to the economy. According to the recently issued "State of Small Business" reports, small firms with 20 or fewer employees generated 4.1 million new jobs between 1988-90, while the larger firms, as we have all read, have reduced their work forces by upwards of 1.3 million jobs. If entrepreneurial investment had not slowed after 1986 as it did, small business job creation would undoubtedly have been even greater.

Not only do these emerging companies provide jobs, but they are generally on the cutting edge in fostering new technology. Nearly half of all venture capital investment in the 1980's has been in areas where the United States has subsequently secured a strong competitive position—medical and health fields; computer hardware and systems; computer software and systems, and telephone and data communications.

An important facet of this proposal is that it offers a targeted business incentive, but does not provide a preference for one type of corporate expenditure over another. It does not

dictate how a business should invest, but instead provides a patient capital base and rewards for profitability.

This legislation provides a much-needed stimulus for everyone. For those who have the capital to invest, it offers an incentive to take the risk and invest in our future. For those without jobs, it offers hope of new and dependable employment. For entrepreneurs, it offers back the American dream of pursuing innovation, and promises patient capital with which to do so. Finally, for our country, it demonstrates our commitment to encouraging the entrepreneurial spirit, fostering new technology, and increasing our competitiveness vis-a-vis the international market.

A strong economy depends on secure investment and thrives with creativity, productivity, and dependability. The Enterprise Capital Formation Act will help to create economic opportunity and job growth, and we plan to work hard with our colleagues and President Clinton to ensure its enactment.

Mr. Speaker, I respectfully insert a technical description outlining the provisions of the bill in the RECORD following this introductory statement.

OUTLINE: ENTERPRISE CAPITAL FORMATION ACT Incentive for Venture and Seed Capital Investments:

Limited to high-risk, long-term, growth-oriented investments.

There are the investments that should stand first-in-line for any capital gains incentive.

Needed because of inadequate and costly capital markets for small businesses and emerging growth companies.

Incentives Applies Only to Purchase of Corporate Stock:

Includes founders stock, incentive stock options, private placements, non-public offerings, and public offerings of stock.

Includes all types of stock, including common, preferred and convertible preferred stock.

Includes stock of both "C" and "S" corporations.

Encourages capital formation through equity rather than debt and helps corporations avoid the credit crunch.

Applies Only To The Direct Purchase or Acquisition of Stock From A Corporation:

Focuses exclusively on investments that put capital directly into the hands of entrepreneurs.

Does not apply to trading of stock in secondary markets.

Incentive Focuses on Start-Ups and Other Smaller Companies:

Applies to new companies raising first capital and to existing companies that need more capital to expand as well as new companies as long as their aggregate capitalization does not exceed specified limits.

Seed capital incentive—applies to stock issued by companies with \$5 million or less in aggregate capitalization.

Venture capital incentive—applies to stock issued by companies with \$100 million or less in aggregate capitalization.

Aggregate capitalization limits are adjusted for inflation.

Company may issue more than one round of qualified stock as long as total aggregate capitalization does not exceed specified limits.

Investors Receive 50% Deduction on Gains on Stock Held For Five Years:

Investors in both venture and seed capital stock held for five or more years receive 50%

deduction on gains—are taxed on half the gain.

Bill sets a maximum gains tax rate of 14% for taxpayers in 28% or 31% tax brackets (or proposed 36% bracket).

Maximum gains tax rate for taxpayers in 15% tax bracket is set at 7.5%.

Additional Deductions on Gains on Seed Capital Investments:

Seed capital investments qualify for 60-100% deduction if held for 6-10 Years.

Shareholders with losses on seed capital investments may deduct losses against ordinary income under Section 1244 (up to \$50,000 per individual taxpayer).

Section 1244 currently permits ordinary losses for investments in stock of companies with \$1 million or less in aggregate capitalization.

Investment Incentive is Available to Individual and Corporate Taxpayers:

We want corporations to be venture and seed capital investors.

Deduction Available to Partners in Venture Capital Partnerships That Pool Capital So That Individual Investors Can Make Seed and Venture Capital Investments:

Critically important to include partnerships and mutual fund investors so that average investor can participate in new market.

Shareholders Must Hold Stock For At Least Five Years To Qualify for Gains Incentive:

Encourages patient capital that permits enterprise to reinvest earnings in firm to build for long-term growth.

Holding Period for Incentive Stock Options Runs from Grant, Not Exercise, Date:

Provides incentive for productivity of employees.

Holding Period Is Not Interrupted by Corporate Reorganizations and Other Tax-Free Transfers of Stock.

Incentives Applies Only to New Investments:

Not retroactive to investments made before incentive goes into effect so no tax windfall.

Alternative Minimum Tax Applies to Deductions on Venture Capital Investments But Not On Seed Capital Investments:

Low and middle income taxpayers should not take risk associated with seed capital investments except when they are the founders of a small firm.

Need to encourage wealthy taxpayers to take risk with seed investments.

Anti-Evasion Provisions Prevent Companies From Redeeming Stock So Can Issue New, Qualified Stock.

Company Issuing Stock Must Be An Active Trade or Business For Five Years Following Issuance of Stock—Prevents Tax Shelters.

Bill Loses Modest Amount of Revenue and Can Easily Be Financed In Context of Modest Sized Tax Bill:

Sponsors accept revenue estimate of Joint Tax Committee.

Joint Tax Committee finds that bill would lose \$1 billion in revenue over six years.

This revenue loss can easily be financed in the context of the 1993 tax bill.

A TRIBUTE TO DANIELA ROMO: MR. AMIGO, 1992

HON. SOLOMON P. ORTIZ
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. ORTIZ. Mr. Speaker, I rise today to commend and pay tribute to Ms. Daniela Romo, the newly selected Mr. Amigo.

Every year, members of the Mr. Amigo Association, who represent the city of Brownsville, Texas, travel to Mexico City to select a new Mr. Amigo to serve as the honored guest of the Mr. Amigo festivities in Brownsville. The Mr. Amigo festivity is a 4-day international event in which the United States and Mexico are joined in celebration of the cultures of these neighboring countries. During the Mr. Amigo celebration, which originated as a pre-Lenten festival, Brownsville citizens participate in a series of parades, dances, and parties to demonstrate the goodwill of both countries. It is a well-planned, major function which is enjoyed and eagerly anticipated by many south Texans, as well as our winter visitors.

In 1971, Daniela Romo became part of the artistic world as a member of the prestigious choir of Los Hermanos Zavala. She attended La Academia Andres Soler, to study acting, and she modeled while going to school. Daniela's acting career began with Greek tragedy and musical comedy. She has performed in seven plays and is recognized for her outstanding performance in the musical comedy, "El Diluvio que Viene." She has seven major motion pictures to her credit. On television, Daniela began directing musical programs and later acted on six "telenovelas."

The year 1993 marks the 10th anniversary of Daniela Romo's dedication to music. In 1983, the record production "Daniela Romo," was launched on the international market. That year she began a world tour to promote her record in Mexico, the United States, South America, Spain, Luxembourg, France and Belgium.

In 1986, Daniela Romo returned to telenovelas where she had a major role in "Camino Secreto," a series that was transmitted to all Spanish-speaking countries. In 1990, she participated in two great events that reaffirmed her international acclaim. In New York City, at the Madison Square Garden, she was part of the magna exposition, "30 centuries of Mexican Art," and in San Juan, Puerto Rico, at the Teatro de Bellas Artes de Puerto Rico.

Daniela Romo continues to be recognized throughout the world for her outstanding achievement. She defines herself as a Cantora, and hopes that she and her artistic career will be remembered fondly.

The prestigious Mr. Amigo designee, is selected on the basis of their contribution to international friendship and development of mutual understanding and cooperation between Mexico and the United States. Ms. Romo should be recognized for both her artistic ability and for her contribution to the commitment of understanding between nations.

As Mr. Amigo, Ms. Daniela Romo will receive royal treatment when she visits Brownsville as the city's honored guest during the Mr. Amigo celebration. During her 3-day stay on the border, she will make personal appearances in the parades and at other fiesta events. Official welcome receptions will be staged by organizations in Cameron County, Texas, and the cities of Brownsville, Texas, and Matamoros, Tamaulipas Mexico.

I ask my colleagues to join me in extending a very special congratulations to Daniela Romo for being honored with this special award.

TRIBUTE TO JUDITH JAMISON

HON. LUCIE E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. BLACKWELL. Mr. Speaker, I am delighted to stand here today to honor an exceptionally talented individual from the city of Philadelphia, Ms. Judith Jamison.

As a young girl growing up in Philadelphia, Judith Jamison developed a love for the art of dance. She began her formal dance study at the age of 6 under the direction of Marion Cuyjet. In addition to augmenting her dancing capabilities, Jamison also pursued artistic expression through the piano and violin.

Jamison attended Fisk University in Tennessee as a psychology major. However, due to her incredible talent, she later transferred to the Philadelphia Dance Academy—now the University of the Arts—to pursue a career in dance.

Throughout the years, she has enhanced her training with the assistance of such greats as Antony Tudor, John Hines, Delores Browne, John Jones, Joan Kerr, and Madame Swoboda. By the time she reached her early twenties, Jamison had developed a talent that could not go unnoticed.

When choreographer Agnes de Mille recognized Jamison's overwhelming potential, she provided her with a superb opportunity to perform. Under her direction, she made her New York debut in de Mille's "The Four Marys," with the American Ballet Theatre. Needless to say, Judith Jamison took New York by storm in what marked the beginning of her extraordinary career.

By 1965, Jamison had become the leading dancer of the well-known Alvin Ailey Dance Theater. Her fame quickly spread throughout the world from the success of tours in the United States, Europe, Asia, South America, and Africa. Consequently, she became known as the first black superstar of American dance.

Upon recognition of Jamison's elegant dance style, Alvin Ailey especially choreographed a variety of dance roles in her behalf. One of the most well-known was the tour de force, "Cry." This included two roles depicting the nobility and suffering of black women wherein Jamison portrayed both a slave and black queen.

To add to her impressive dance credentials, Jamison starred in the hit Broadway musical, "Sophisticated Ladies." In addition, she has appeared as a guest performer with the American Ballet Theatre, Harkness Ballet, San Francisco Ballet, Dallas Ballet, Vienna, Munich, and Hamburg State Opera Ballets, as well as Maurice Bejart's Ballet of the Twentieth Century.

In addition to her great abilities as a dancer, Ms. Jamison possesses an extraordinary talent for choreography. She lent her talent to create new works for Maurice Bejart, Dancer's Unlimited of Dallas, The Washington Ballet, and Jennifer Muller/The Works. One of her most memorable choreographed works includes "diving," for the Alvin Ailey American Dance Theater in 1984. Moreover, in January 1989, she choreographed her first opera, "Bioto's Mefistofele," for the Opera Company

of Philadelphia. She has received much recognition for her outstanding works. For example, in 1989, PBS aired a special entitled, "Judith Jamison: The Dancemaker," which she also choreographed.

Judith Jamison is truly a dance innovator. Not only has she danced with some of the greatest dance companies in the world, but she has also worked with some of the world's great male dancers including James Truitte, Dudley Williams, Kevin Haigen, and Mikhail Baryshnikov.

Mr. Speaker, the city of Philadelphia is extremely proud of Judith Jamison. Her work is an indication that dreams do come true. I ask my colleague to join me in congratulating Ms. Jamison on her many wonderful contributions to the art of dance which have inspired millions.

NATIONAL FHA/HERO WEEK

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. NATCHER. Mr. Speaker, I am pleased to join with the members and advisers of the Future Homemakers of America as they celebrate National FHA/HERO Week this week. FHA/HERO is a national vocational student organization which has involved over 9 million youth since its founding in 1945. It is the only in-school organization with the family as its central focus. This year's theme, "The Time Is Now," is an appropriate one because it emphasizes how FHA/HERO members are rising to fight problems such as stressful family situations, lack of global awareness, and low self-esteem.

These concerns will be addressed by over 270,000 members in 10,500 chapters across the Nation during FHA/HERO Week. Members will be participating in activities which demonstrate how home economics skills help them solve problems. One activity this year is the Second Annual Family Walk and Roll, an activity during which members and their families rollerblade, skate, or walk together to promote family communication and unity.

Activities and projects of this nature are not new to the members of the Future Homemakers of America. Throughout the year they are involved in a variety of family-oriented projects and they participate in numerous community service activities.

My home State of Kentucky was well represented in this organization this past year with 10,951 members active in 250 chapters. There were 1,285 members from the Second Congressional District of Kentucky, the district I represent. Several chapters of FHA/HERO from Kentucky's Second Congressional District were recognized at both State and national meetings. These chapters are: Barren County High School, Central Hardin High School, Green County High School, and the Lyndon Technical Center in Jefferson County.

Last July, 124 Kentucky members, advisers and guests attended the national leadership meeting in Chicago, IL. During this meeting, 44 members from Kentucky participated in star events. Thirty of these members received gold

medals and 14 received silver medals. From the Second Congressional District of Kentucky, Charlie Tichenor, Courtney Albert, Corey Coate, and Amanda Dennis of the Spencer County High School Parliamentary Procedure Team won gold medals in the junior division. In the senior division, Stacy Simpson, Cindy Young, Spring Price, Karen Wisdom, Bethany Davis, Angie Ferguson, Jaclyn Lobb, and Stephanie Thompson of the Green County High School Parliamentary Procedure Team also won gold medals.

Eighty-three young people from Kentucky received power of one during the national leadership meeting. To receive power of one, FHA/HERO members must complete projects in five areas: improving self, strengthening family life, exploring careers, developing leadership skills, and promoting the organization. Those from Kentucky's Second Congressional District who received power of one are: Donna Spillman, Barren County High School; Angie Bryant and Leanna Nash, Hart County High School; Heather Minagawa and Tessa Smith, North Hardin High School; Stacy Cunningham, LaShonda Gummer, James Lee, and Spencer Rutledge of the Lyndon Technical Center and Emily Dennis, Spencer County High School.

I am also proud to have two State officers from the Second Congressional District of Kentucky. Chris Colburn of Spencer County High School is serving as vice president for programs and Karen Wisdom of Green County High School is serving as State activity leader.

Through FHA/HERO programs, all of these young men and women are being prepared for multiple roles as wage earners, community leaders, and caring family members, and during this process, they are providing a great deal of service to their communities.

I would like to commend all of those associated with the Future Homemakers of America throughout the United States and I wish them success in their future endeavors.

TRIBUTE TO MR. DAVID PETTITT

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. WALSH. Mr. Speaker, I rise today to pay tribute to a public servant my colleagues do not have the privilege of knowing. He is David Pettitt, a man of local government in my home district. Dave is the town of Camillus Highway Superintendent and this month, on February 25, he will be honored as the "Man of the Year" at the Elk's Lodge 2367, Camillus, NY for outstanding service and dedication to his fellow citizens.

If all politics is local, as has been suggested in our history, then Dave Pettitt is a politician's politician. More precisely, he is a public servant extraordinaire. His service extends beyond the clearing of streets in all seasons, which is admirable enough given the severity of our winters in central New York. He is a respected, admired, even cherished member of the community whose leadership in volunteer efforts and dedication to his fellow citizens makes him an institution in Camillus and a model for all of us in public service.

I am proud to say Dave is a friend of mine. His wife, Lucille, and he have been strong supporters of my efforts in public life. We share the experiences and values that make communities strong. And we share a special objective which I believe has motivated our Nation's greatest heroes: to help people.

I look forward to congratulating Dave in person for this honor.

NATIONAL ENGINEERS WEEK 1993

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. BROWN of California. Mr. Speaker, I rise today to pay special tribute to America's engineers, who will be celebrating National Engineers Week 1993, beginning on February 14.

No group has contributed more to our Nation's unsurpassed standard of living and economic leadership than American engineers. The wonders of our civilization—awe-inspiring space travel, ubiquitous communications, versatile personal computers, lifesaving heart pacemakers—all have one thing in common: Without engineers, they wouldn't exist. Yet for all these vital achievements, most people don't know much about engineers or what they do.

Now more than ever, Americans need to understand the engineering profession's essential role in the preservation of the American way of life. As President Clinton has said, "technology [is] the engine of economic growth." And it's engineers who create that technology. National Engineers Week is intended to nurture public awareness by honoring, each February, these visionaries of our modern age—the men and women who are turning ideas into reality.

Once again this year, America's engineers will approach their task not by resting on the laurels of past achievements, but by actively cultivating the seeds of America's future greatness. Kenneth T. Derr, honorary chair of National Engineers Week and Chevron Corp. president, is leading 30,000 engineering professionals into the Nation's classrooms, where they will inspire up to 3 million youngsters to relate their math and science studies to the world around them.

National Engineers Week is also giving tomorrow's technological pioneers a taste of society's future challenges. For the first-ever Future City Competition, teams of students, teachers, and engineer volunteers from hundreds of intermediate schools have engineered and modeled computer-simulated cities of the 21st century. And students involved in the Marsville project are overcoming the complex obstacles to life in an alien environment by designing and building life-support systems for a human habitat on Mars.

Mr. Speaker, I would like to urge my colleagues to join dozens of engineering societies and corporations in promoting National Engineers Week in every district in the country. To do so is not only to bestow some well-deserved recognition on America's engineers for their achievements, but also to make a sound investment in tomorrow's American

dream. As Martha Sloan, chair of National Engineers Week and president of the Institute of Electrical and Electronics Engineers, has aptly stated, "America's future depends on the minds and hands of engineers."

TO DESIGNATE SEGMENTS OF THE RED RIVER AS A WILD AND SCENIC RIVER

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. ROGERS. Mr. Speaker, today I am introducing legislation to protect one of America's most unique and splendid rivers—the Red River which runs through eastern Kentucky.

The Red River Gorge is a wondrous area—rugged towering cliffs, crashing white water, natural bridges, uncommon wildflowers, and archaeological wonders dot the landscape.

For the people of eastern Kentucky, the Red River Gorge is a place of solitude and incredible beauty. The river links a strong and vibrant people to the land in a way that should be protected for generations to come.

That is why I am proud to sponsor legislation that will designate a portion of this unspoiled river as a component of our National Wild and Scenic Rivers System.

The Red River Gorge has outstanding geological formations unique to the United States. Portions of the river send crashing whitewater rapids down the corridor, while the lower segment remains serene and tranquil.

The diversity of wildflowers along the river is a source of great pride to Kentuckians. Blue violet, aster, jack-in-the-pulpit, blue bells, wood lilies, dwarf asters, wild orchards, poppy, foxglove, and wild rose surround the countryside.

The river gorge is also rich in prehistoric, historic, and cultural resources. American Indians discovered the gorge area long before European settlers. Rock shelters protected them from the elements and provided defense in times of war.

During the 19th century, the area was heavily logged. But the trees have grown back, and today beech, oak, pine, hickory, dogwood, maple, and birch layer the thick forest canopy.

For the people of Wolfe, Menifee, and Powell Counties, the Red River is more than a unique archaeological and environmental area—it is home to family farms and strong community ties.

The people of these counties have worked hard to preserve and protect the lands. This legislation ensures that they will be equal partners at the table when it comes to maintaining a strong rural economy and protecting the Red River.

Under my legislation, affected landowners will be fully compensated for their holding if they choose to sell to the Federal Government.

And just as important, under my bill, if a landowner wants to keep his land—keep his cattle grazing, or plant hay or tobacco—he can do just that.

My bill places strong restrictions on the powers of the Federal Government so that

they cannot condemn property just because the Government wants the land. There must be a willing seller.

This bill will go a long way to protect the Red River, protect the private property rights of landowners, and preserve the rich heritage of the land and the people for generations to come.

A THIRD U.S. DISTRICT JUDGE FOR IDAHO

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. LaROCCO. Mr. Speaker, today I am introducing legislation authorizing an additional district judge for the District of Idaho. As the Representative for one of the most rural congressional districts in America, I know firsthand the logistical difficulties and time constraints with which Idaho's two district judges must contend. Last year alone, the district judges in Idaho traveled from their home base of Boise, to hear cases in Moscow, Pocatello, and Coeur d'Alene on 21 separate occasions. In fact, they spend approximately 35 to 40 percent of their time on the road each year, covering the 85,000 square miles of our great State.

The legislation I am introducing today will help to rectify what is a growing problem for this Nation's judicial system. Our Constitution plainly guarantees everyone due process under the law. Creating an additional Article III judgeship for the District of Idaho will do much more than ease an undue burden on Idaho's two overworked district judges. It will help to assure that Idahoans are served by the effective and responsive court system that they deserve.

TRIBUTE TO THURGOOD MARSHALL

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. DE LA GARZA. Mr. Speaker, recently with the death of Thurgood Marshall our Nation lost an outstanding American. While much was heard on the news and written in the papers about the significance of his contributions to our Nation's heritage, I wanted to take this opportunity to emphasize how great a debt all Americans owe him. I say this because Thurgood Marshall's work and his vision changed in a positive fashion the way many Americans see each other.

Thurgood Marshall was indeed an extraordinary man. He was an individual passionately committed to the rights of all Americans.

He saw what others refused to see. He heard what others refused to hear. He felt the pain and suffered the agony of an entire people, and he tried, as God gave him the ability, to ease it. All this he did within the rule of law, with courage and with dignity.

Recently I read that Thurgood Marshall had said he wanted to be remembered by the

words "that he did what he could with what he had." He did indeed, and we are all the beneficiaries of his judicial legacy. His message will long live on.

LEGISLATION TO BAN SMOKING

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to ban all smoking in federally owned and leased office buildings, including buildings used by the U.S. House and Senate, as well as the U.S. courts. I am introducing this legislation after closely reviewing all the recent medical and scientific evidence which clearly indicates that secondhand smoke is a killer. Mr. Speaker, the time has come for the Federal Government to take decisive action to better protect the health and safety of its workers.

According to the results of a study released last month by the Environmental Protection Agency, secondhand smoke is responsible for some 3,000 lung cancer deaths each year in nonsmokers. The bill I am introducing today would ban smoking in all indoor areas of federally owned or leased office buildings.

Under my bill, anyone in a Federal building who wishes to smoke must go outside. The bill would require the General Services Administration, the Administrative Office of the Courts, the House Office Building Commission, the Senate Committee on Rules and Administration, and the Architect of the Capitol to issue regulations to institute and enforce the ban.

On average, Americans spend up to 90 percent of their workday indoors—making most Americans extremely vulnerable to secondhand smoke from indoor air. In many Federal buildings indoor air is recirculated throughout the building, exposing nonsmokers in non-smoking areas to secondhand smoke. From a public health standpoint, we in the Congress have an obligation to ensure that Federal workers are not being unnecessarily placed at risk. The medical evidence is in; the time for action is now. I urge all of my colleagues to support this legislation.

INTRODUCTION OF INDEPENDENT COUNSEL REAUTHORIZATION ACT

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. BROOKS. Mr. Speaker, on February 4 I introduced legislation to reauthorize the Independent Counsel Act, which unfortunately was permitted to lapse on December 15, 1992, due to the blocking efforts of the previous administration. It was unfitting treatment for a principle of good government that was one of the few truly original enhancements to our constitutional democracy in the 20th century. The Independent Counsel Act deserved better, and

I intend to see that the situation is corrected early this Congress.

The original act—first passed in 1978 and renewed in 1982 and 1987—came as a non-partisan response to the shock, dismay and anger that welled up across the land in the wake of the "Saturday night massacre" in which special counsel Archibald Cox was told to clean out his desk simply because he was coming a bit too close to the truth about the Watergate scandal. As more information came to light, as the traditional arm's-length relationship between the Justice Department and the White House became distorted, as apparent and actual conflicts of interest multiplied, the Congress and the Nation realized that there are times when the Justice Department cannot—and should not—be placed in a situation of investigating itself or other high-level officials.

The act that came into being was a testament to the belief in the even-handed and non-political administration of justice—irrespective of which party or personality controls the reins of government.

I believe that the 15 years of experience with the independent counsel statute has shown to all reasonable people that the act works—not as an instrument of political revenge but as a means to establish truth in difficult circumstances. Moreover, the mechanism of an independent counsel in no way impugns the integrity of the many honorable people at the Justice Department. Quite the contrary, it is meant to protect these same dedicated people from any charge of a conflict of interest which, whether true or baseless, could nevertheless undermine their personal reputations and professional work product.

I must confess that the opposition to the use of the statute by the past administration was as inexplicable to me as it was destructive of the public trust. In the past year when the House Judiciary Committee presented two well-grounded requests to use the statute, former Attorney General Barr seemed to take the unprecedented position that he would only act when presented with a signed and sealed indictment of criminal wrongdoing. There was no basis for that interpretation, particularly since the Attorney General is expressly given the opportunity to flesh out the facts further before making any request to the special court for an independent counsel.

Yet, by staking out this extreme position, the former Attorney General refused to ask for an independent counsel even when faced with overwhelming evidence of potentially illegal assistance to the regime of Saddam Hussein by highly-placed administration officials. He even refused to ask for an independent counsel when faced with a criminal conspiracy by Justice officials—documented by two Federal courts—to force Inslaw, a small computer company, out of business and to steal its primary asset—a software system called Promis.

I am proud that President Clinton has already turned a new page in opening up Government to the kind of scrutiny that the American people have long demanded. Consistent with this commitment, he has indicated his support for our efforts to revive the act.

But the legislation introduced today not only restores the underlying act; it also addresses criticisms voiced in recent months about pro-

cedures and practices. It strengthens fiscal and administrative controls—with changes that apply to all existing independent counsels, as well as to future ones—and it gives the Attorney General explicit authority to use the act in cases involving Members of Congress, even when there is no finding of a personal, financial, or political conflict of interest.

I am very pleased that joining me in this effort are Congressman JOHN BRYANT, who now chairs the Judiciary Committee's Subcommittee on Administrative Law and Governmental Relations, and Congressman BARNEY FRANK, former chairman of that same subcommittee. Mr. FRANK is a stalwart supporter of the act who helped lead the fight to save it in the last Congress—until a threatened filibuster in the other body brought that effort to its unfortunate end.

I want to express particular appreciation to the bipartisan support of Senators LEVIN and COHEN who worked with me on the bill and who now stand ready to move the companion legislation in the other body.

Let us send a message to the American people that Government is capable of renewing itself and its core values again and again. In this spirit, let us renew the Independent Counsel Act. I ask for your support in the drive to move this most needed legislation swiftly to enactment.

CLINTON CUTS THREATEN TO END DRUG WAR

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. SHUSTER. Mr. Speaker, I insert the attached article from the February 13, 1993, edition of the Denver-Rocky Mountain News. The article clearly calls into serious question President Clinton's commitment to our Nation's drug war.

[From the Denver-Rocky Mountain News, Feb. 13, 1993]

CLINTON CUTS THREATEN TO END DRUG WAR

WASHINGTON.—The Clinton administration is quietly dismantling the war on drugs and the biggest casualty so far appears to be the aggressive campaign to interdict drugs at their source in Latin America.

Since the administration began reorganizing the government:

The drug czar's office has been cut from 146 to 25.

The State Department is shutting its independent Office of International Narcotic Matters and adding it to an office that will handle environment, labor, population and other issues.

The post of assistant secretary of defense conducting drug-enforcement policy and support, and the top deputy position are vacant. Betting at the Pentagon is that the position will be abolished. The people remaining in that section have been told to take no action pending reassignment.

The White House National Security Council has dropped the drug war from one of three top priorities to No. 29 on a list of 29, according to several sources.

The White House press office referred all questions about the future of the drug war to the drug czar's office, which, in turn, re-

ferred all such questions back to the White House press office.

In Latin America, these changes are widely perceived as a U.S. retreat, even abandonment, of the war on drugs.

"The very first sign that an American president is not 100% behind this war, every bit of progress vaporizes instantly, and it looks like that sign has been given," said a Justice Department attorney.

Headlines from Latin American newspapers on the cutback in the drug czar's office reflected that perception:

In Mexico: "U.S. may end drug war."

In Ecuador: "U.S. cuts drug war staff—the battle may be over."

In Bolivia: "Clinton changes strategy in fight against drugs."

In Colombia: "Clinton staff cuts an ominous sign in drug fight."

Much of the progress of the drug war was not in searching the jungles for illicit drug labs and airstrips, but in prodding Latin American nations to adopt U.S.-style drug laws, to induce bankers and treasury officials to outlaw and prosecute money-laundering and to cajole police and military into arresting some of the most powerful drug lords who for years were paying them off.

The cutbacks have had an adverse impact on the morale of U.S. diplomats, drug agents and military specialists on the ground in Latin America.

While they refuse to openly criticize the new president, privately they expressed dismay and outrage at Washington's actions.

"We were blind-sided," said an embassy officer in Lima. "Of course it's the president's right, but the least someone could have done was warned us he was wiping out the (drug czar's) staff. We just got the Peruvians to start working with us to go after the cartel. Now they think we're pulling out and leaving them holding the bag."

A military adviser to Bogota added, "We don't know what it means here in the embassy, so imagine the mixed signals the people in the Colombian government are getting."

Particularly upsetting was the near-abolition of the drug czar's office, whose principal role was to force rival U.S. agencies to cooperate in the drug war.

Two dozen agencies have men and women assigned to drug-fighting duties in Latin America, among them the Drug Enforcement Administration, Customs, Border Patrol and the State, Justice and Defense departments.

"We worked out a careful balance between U.S. agencies that don't like working with each other doing their things in some countries that didn't want us there," said John Walters, the acting drug czar who resigned Tuesday.

"We never claimed to have a smooth-running precision machine, but we were able to get all the factions together to fight drugs the way Congress demanded. Now the Clinton administration has tossed the whole operation up into the air."

According to Walters, Gen. George Joukwan, who runs the Panama-based U.S. Southern Command and oversees military advisers in Latin America, has been unable to get authorization and funds to continue a successful radar intercept program that began last fall to use Colombian, Bolivian and Peruvian troops and aircraft to capture drug planes.

"No one in the Pentagon could give him the OK because all the high-ranking civilian drug leaders had been asked to resign. The (White House National Security Council), which normally convenes an advisory panel

to evaluate requests like these, refused to get involved," Walters said.

STEIN HONORED FOR WORK, ACHIEVEMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. GORDON. Mr. Speaker, Marc Stein, a senior at Beech High School in Sumner County, TN, is an excellent example of what is right about America. Through his academic, athletic, and community achievements, Marc has shown us all how one person can make a difference in building a better world for everyone.

Marc's is a lesson we all can learn. You do not have to be a community organizer, a speech maker, or rich and famous. It is simply a matter of getting involved in a way that addresses the Nation's problems within the scope of your own life, to become a link in the chain that leads to a larger solution.

First, Marc has built an outstanding high school record. He has been named a United States Achievement Academy All American School for 3 consecutive years, selected for "Who's Who Among American High School Students", and received the National Science Merit Award three times. A Century III leader, he has been a delegate to the American Legion Boys' State and an international semifinalist in the Hugh O'Brian Youth Foundation Leadership Seminar.

He has been a standout soccer goalie for the Beech High School varsity and also plays football and runs cross-country track.

But he still finds time for his community.

After several years doing volunteer work each summer as part of the Appalachia Service Project, he is chairing the ASP planning committee this year. In addition, he volunteers for the Meals on Wheels Program and the beautiful Hendersonville Recycling Center.

On June 4, 1992, Marc truly made a difference in the life of a neighbor when he saved an elder woman from drowning after her car had plunged into a rain-swollen creek. After being rescued, the woman said of Marc's efforts, "He didn't have to come in for me like that. He could have stood on the bank and wrung his hands like many other people would have done. That current was unbelievably strong; it was raging and I was about 40 yards away when he first saw me and it was all he could do to get to me."

Indeed, Marc Stein has not been one to stand on the bank and wring his hands. It's a lesson we can all learn.

Please join me in recognizing Marc Stein, who has been named one of eight national recipients of the High School All-American

Award. He certainly is deserving.

SALUTE TO MAC WILLIE RHODES IN RECOGNITION OF HIS 95TH BIRTHDAY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. CLYBURN. Mr. Speaker, I welcome my colleagues to join me in paying tribute to a pillar in our community, and African-American great-grandfather, Mr. Mac Willie Rhodes of Sumter, SC.

Mr. Rhodes is a champion in serving his community as he assists neighbors with shopping, driving them to appointments, and taking food to those in need. Mr. Rhodes became a member of Melina Presbyterian Church in 1915 and is now one of its oldest members. He has been a member of Masonic Lodge Golden Gate No. 78 since 1948.

Mr. Rhodes was born in Clarendon County, SC, on February 25, 1898. A grandson of a slave owner, Mr. Rhodes is the second oldest of 15 children. Family, good values, and good living are Mr. Rhodes' most cherished possessions. He is affectionately addressed as "Papa" by his 14 children, 36 grandchildren, and 37 great-grandchildren. Mr. Rhodes loves baseball. His favorite pastime is to read the Bible, newspapers, and magazines. His favorite Bible scripture is the 23d chapter of Psalms.

On Saturday, February 20, 1993, family and friends will gather in celebration of Mr. Rhodes' 95th birthday. Please join me in wishing Mr. Mac Willie Rhodes a prosperous and happy birthday.

MANDATE AND COMMUNITY ASSISTANCE REFORM ACT OF 1993

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. CLINGER. Mr. Speaker, State, and local governments around the Nation have been forced to wear two hats: provider of basic services to the community, and surrogate for the Federal Government in implementing national policy directives that come in the form of unfunded Federal mandates. They cannot continue to wear both. Even after many communities have reduced waste and inefficiency, growth in mandated spending and static or shrinking revenues continue to squeeze State and local budgets. Many States and municipalities have found that tax increases and service cuts are the only ways to keep their heads above water.

Today I am introducing the Mandate and Community Assistance Reform Act of 1993. This measure establishes a commission to look at existing Federal mandates and recommend the elimination of those that are obsolete or lacking practical utility, the temporary suspension during recessionary periods of

particular mandates, and the consolidation of planning or reporting requirements of existing mandates. To ensure these recommendations receive appropriate consideration, they will take effect automatically unless Congress disapproves them within 60 days of their submittal. The Commission also is charged with suggesting common definitions for terms contained in mandates, and with recommending a redistribution of Federal, State, and local responsibilities for intergovernmental programs.

It is safe to say, Mr. Speaker, that most of us at one time or another have voted on legislation without fully appreciating the costs it would impose on our States and localities. This is due in large measure to a loophole in the Congressional Budget Act of 1974, which directs that Congressional Budget Office cost estimates are required only if they can be submitted in a timely manner. My bill amends the Congressional Budget Act to remove the timely manner loophole. It further amends the act to require cost estimates to accompany conference reports, and to require committees to include in their instructions to conferees the costs of their provisions for State and local governments. We must be fully aware of the impact a piece of legislation will have on States and communities if we are to cast an educated vote.

This bill proposes to amend the Regulatory Flexibility Act, as well, which was intended to mitigate the impact of Federal rules on small governments and businesses. Under the act, agencies are expected to conduct regulatory flexibility analyses to determine alternate means of compliance with rules for these small entities. Unfortunately, Reg Flex has a built-in loophole as well. An agency head may certify that a rule will not significantly impact small entities, and as a consequence of that certification, no Reg Flex analysis is required. My bill would make that certification decision part of the whole rulemaking record for purposes of judicial review. I believe this will prompt executive agencies to give more consideration to the effects of their rules on small entities.

Communities are stifled by more than expensive rules and mandates. Those that receive Federal grant funds must try to build a comprehensive plan out of fragmented social service programs. Communities are in the best position to determine where their needs are greatest, and should be able to direct their resources accordingly. My bill proposes to let local governments use some of the money they already receive from the Federal Government to design their own assistance plans for low-income citizens. These plans must be approved by a Federal review council, and must include performance measures to ensure that the plans are designed to get results. Further, no plan may be approved unless low-income citizens have participated in developing the plan. This proposal is an important step toward restoring to local governments the authority to make the best decisions for their constituencies.

I invite my colleagues to join me as cosponsors of this important legislation for our States and communities.

STATE SENATOR JOHN D. PERRY RETIREES

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Ms. SLAUGHTER. Mr. Speaker, I rise today to recognize the career and achievements of New York State Senator John D. Perry. Senator Perry applied his extensive background in education and economics to the major problems of New York State for nine terms before his retirement in 1992.

Senator Perry has been a leading advocate for a fairer State education aid formula. He proposed a comprehensive 10-point education program to address the needs of youth at risk with the goal of greatly reducing the school dropout rate and improving the quality of the work force.

As a member of the New York State Job Training Partnership Council, he continues to work toward coordinating all job training into one comprehensive system.

A nationally recognized expert on the education of disadvantaged young people, Senator Perry serves as senior project consultant for the Interstate Migrant Education Council, a special project of the Education Commission of the States.

Before his election to the New York State Senate, Senator Perry was a member of the Monroe County legislature for 3 years, and was elected minority leader of that body by his Democratic colleagues. He taught history and economics at Penfield High School and has taught economics at the Rochester Institute of Technology and Nazareth College.

We honor State Senator John D. Perry's numerous achievements. His efforts and dedication represent public service of the very highest caliber.

IN TRIBUTE TO SANDRA JONES ANDERSON

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. DIXON. Mr. Speaker, I rise to pay special tribute to Sandra Anderson, for her 28 years of dedicated service to Los Angeles County. Ms. Anderson has served with undying dedication, unrelenting commitment, and fervent devotion. As director of external affairs for the Los Angeles County Department of Health Services, she led the legislative and community relations programs for the second largest deliverer of health care to the public in the United States. Sandra is a resident of the 32d Congressional District.

Throughout her career, Sandra Anderson has displayed the true virtues of a public servant, evidenced by her efforts to improve and advance social and health care services to the citizens of Los Angeles County. Her contributions are numerous in these areas and rich in their substance.

Ms. Anderson's commitment to ensuring the availability and improvement of health care for

residents of the county of Los Angeles is noted by her fight in the 1980's against the Federal Medicaid cap proposals, which would have had a detrimental impact on L.A.'s hospital system and its patient population. She was involved in the planning of the First Conference on Indigent Care, which was sponsored by the National Governor's Association, the National Association of Counties, and the city of San Francisco.

Ms. Anderson also assisted in the planning of, and participated in, the Outlook 1984 Conference of black elected and high level officials from Federal, State, and local governments to assist them in addressing issues of importance to their constituency groups.

Mr. Speaker, Ms. Sandra Anderson's academic and professional accomplishments alone would warrant recognition. But she has also been active in her community and in other local social organizations. Being an active member of the YWCA—and the immediate past president of the YWCA of Los Angeles—the Harriet Buhai Center for Law and Poverty, the Jenesse Center for Women, a domestic violence shelter, the United Way, the Los Angeles County Employees Retirement Association Board of Investments, and the Los Angeles County Management Council, is testament to her social awareness and dedication.

Mr. Speaker, I am proud to pay special tribute to Ms. Sandra Anderson for her stellar career helping the citizens of Los Angeles. I urge all Members of the House to join me in recognizing her contributions to Los Angeles County, and in extending best wishes to her on the occasion of her retirement.

SALUTE TO CHIEF ROBERT ANDERSON

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. GALLEGLY. Mr. Speaker, I am pleased to rise today to honor an outstanding law enforcement leader and an old friend, Chief Robert A. Anderson, as he retires from the Port Hueneme Police Department.

During his long career with the department, Bob Anderson has been a leader in innovative law enforcement, as well as a leader in his community.

Bob began his career with Port Hueneme in 1970, and was appointed chief on April 12, 1978. As chief, his main goals have been to upgrade and modernize the department and to build ties with the community, and he was successful on both fronts.

Bob was instrumental in beginning the Neighborhood Watch Program in the city, and frequently takes the time to talk with neighborhood groups to get this important plan underway. He also spends many hours giving general safety talks to service groups, and recently was instrumental in establishing the Crime Stoppers Program in the city.

Chief Anderson is a member of many law enforcement organizations, including International Footprinters, the Peace Officers Association of Ventura County, the California Police

Chiefs' Association, and the International Association of Chiefs of Police.

On the community front, Bob Anderson has long been active in a variety of ways. He is a past deputy district governor of the Lions Club, is a 15-year member and past president of the Port Hueneme Boys and Girls Club, served on the chamber of commerce, and in the cabinet of the United Way.

For his dedication, Bob has received numerous awards and commendations, including being named citizen of the year in 1985 by the chamber of commerce and receiving the Man and Boy Award from the Boys and Girls Club in 1984.

Mr. Speaker, I ask my colleagues to join me in honoring Bob Anderson for his many years of service to his community, and to wish him and his wife, Lynn, well as they begin a new life of travel and relaxation.

SALUTE TO GARY CROOK

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. GINGRICH. Mr. Speaker, I rise today to recognize the dedication that Gary Crook has shown to the residents of the Sixth District of Georgia.

Gary is a unique individual who always took a very personal, active role in solving whatever problems confronted him. Whether it was his work in helping ensure a quick and professional cleanup of the hazardous waste site at Basket Creek, or his work in ensuring clean water for the Sixth District, he always devoted whatever time it took to see the problem solved.

Gary has since joined the staff of Representative MAC COLLINS; however, we will always remember Gary's contribution to the betterment of the Sixth District.

TRIBUTE TO COMMEMORATE THE 75TH ANNIVERSARY OF LITHUANIAN INDEPENDENCE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. BONIOR. Mr. Speaker, I rise today to commemorate the 75th anniversary of Lithuanian independence. This past Sunday, February 14, the Detroit-Lithuanian community marked the event by holding a commemorative program at the Lithuanian cultural center in Southfield, MI.

Throughout the cold war, Lithuania has always been viewed as an occupied country. Since Russian President Boris Yeltsin has agreed to remove all troops by August 1, 1993, Sunday's celebration will hopefully mark the last observance of the anniversary while Russian forces remain in Lithuania. After 53 years of occupation, the removal of troops is long overdue.

During the withdrawal, I will be watching the events in Lithuania closely. I believe the Unit-

ed States must remain vigilant and do whatever it can to ensure Lithuanian sovereignty. I urge my colleagues to join me in encouraging an orderly and complete removal of Russian troops and to be supportive during this time.

I commend the Lithuanian-American community for their vigilance through the many difficult years and extend my best wishes during this commemoration of Lithuanian independence.

IN RECOGNITION OF CAPT. NEWL D. JUDD, USNR

HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. SANTORUM. Mr. Speaker, I would like to take this opportunity to recognize Capt. Newl D. Judd of the U.S. Navy Reserve.

During a span of over 30 years of active and reserve duty in the U.S. Navy, Captain Judd has served his country and his community with the highest sense of duty and professionalism.

Captain Judd entered the Navy during World War II and his career spanned both the Korean and Vietnam conflicts. But his sense of obligation to the institution did not stop when he retired.

Upon retirement in 1975, Captain Judd began to volunteer his time and services to work as director, Retired Affairs at the Naval and Marine Corps Training Center in Pittsburgh on a daily basis. In this capacity, he has continuously served for 17 years without pay or benefits from the government. He conducts all seminars on retired benefits and acts as liaison for any marine separating from the Corps. These liaison duties include helping marines receive the latest information on benefits.

Captain Judd continues to volunteer his time and effort in serving as commanding officer of the Pittsburgh Sea Cadet Program, a U.S. Navy League youth organization. Since 1967 he has acted in this capacity without fail.

Captain Judd provides assistance, advice and a point of contact for all retirees, medically discharged veterans, and any veteran from every branch of service requiring assistance on any military problem. This is an enormous job as Captain Judd is the only person providing this service for all of western Pennsylvania, West Virginia, and Ohio. Significantly, his extensive file system has resulted in numerous veterans being awarded benefits they were entitled to, but never offered.

Clearly, Captain Judd has demonstrated the highest qualities of duty, honor, and service. Countless servicemen and veterans, and indeed the American people are indebted and grateful.

TRIBUTE TO AUGUST "GUS" SUTTER

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. DURBIN. Mr. Speaker, I would like to recognize the country's longest serving letter carrier, Mr. August "Gus" Sutter, for a distinguished career of public service in central Illinois.

After 64 years of dependable service, Mr. Sutter has hung up his mailbag. The residents of Montgomery County, IL, will miss their beloved mail carrier who served them faithfully through rain, sleet and snow since 1929. Each day, he left his home in Harvel, IL, to deliver mail to 135 rural residences which required traveling 80 miles a day.

Mr. Sutter began his career driving a Model T Ford and riding a horse when the roads were muddy. At the time of his retirement last month, he was on his fifth car.

Four years ago, the Postmaster General presented Mr. Sutter with a plaque for 60 years of service at a ceremony in Washington, DC, marking one of the highlights of his career.

Mr. Sutter loved his job and should be congratulated for his years of service and hard work. I wish him all the best in retirement.

THE CHILD SUPPORT ECONOMIC SECURITY ACT OF 1993

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mrs. SCHROEDER. Mr. Speaker, I am pleased to reintroduce today the Child Support Economic Security Act of 1993, a measure to improve the collection of child support so that children in single-parent households will have a regular, reliable source of income from their noncustodial parents.

This legislation contains 16 tools for States to use to improve their track records collecting child support. But it does not just ask more of States. It changes the Federal payment structure to the States, providing them with the additional resources that are absolutely critical if we want this system to work. Caseworkers lack essential training and are required to manage caseloads in excess of 1,000 families. Even highly trained caseworkers cannot do justice to a caseload that numbers in the thousands. It is time to recognize that the child support enforcement system needs new resources—including more staff, computer technology, and training—to bring the system in line with the demands of the 21st century.

In addition, the legislation also amends the bankruptcy code to ensure that noncustodial parents cannot use a declaration of bankruptcy to avoid their financial obligations to their children and former spouses.

The failure to pay child support is a national disgrace. News stories about night-time roundups of deadbeat parents help focus public attention on how blatant child support evasion

has become. But more than media attention, what is needed is a new national ethic that makes it unacceptable to avoid paying child support.

Because so many children, one out of four, live in single-parent families, the child support enforcement system has become an integral part of America's income transfer system. Yet 42 percent of the 10 million women living with children under the age of 21 from a noncustodial father have never been awarded child support. Of those with a child support order, only one-half receive the full amount of the child support to which they are entitled and about one-quarter receive no child support at all.

Most children living in single-parent families, 87 percent, live with their mothers. Since women, on average, earn only about two-thirds of what men earn, most women who head single-parent households are at an economic disadvantage compared with their non-custodial ex-spouses, and they rely heavily on child support often just to stay financially afloat.

A 1992 study from the U.S. Bureau of the Census that followed nearly 52,000 children from October 1983 through May 1986 found that within 4 months of their parents' separation, the family income of the children declined by 37 percent. Even more disturbing, the percent of children living in poverty increased from 19 percent to 36 percent in the 4 months following their parents' separation. The number of these children relying on Aid to Families with Dependent Children [AFDC] doubled, and the number of food stamps recipients nearly tripled during the first year of parental separation.

These statistics emphasize just how important a reliable source of income from a non-custodial parent is to these children.

I am deeply saddened by the tremendous amount of mail that I receive from all over the country—much of it from my esteemed colleagues' districts—from distraught parents who cannot get the system to help them. They write of endless delays, some dragging on for years, before child support payments are withheld from the wages of a noncustodial parent. They write about thousands of dollars in unpaid child support. Others report of the failure of the system to tap the resources of a parent, whose whereabouts are known to the custodial parent, but the system never seems to catch up with the nonpaying parent. On average, it takes 1 year to locate an absent parent, and 2 years to establish a court order if a parent has deserted a family.

I do not fault the caseworkers on the front lines, trying to do battle on behalf of a battalion of custodial parents without modern-day equipment and without access to State records that could make their jobs easier.

Congress has been trying since 1975 to improve the collection of child support. But unfortunately, the focus of Federal efforts until recently has been on trying to recoup expenditures on AFDC, rather than trying to make it clear that failure to pay child support will not be tolerated. In the 102d Congress, we took several small steps toward this goal. But much more is needed.

It's time for both the Federal and State governments to put their money where their

mouths are when it comes to collecting child support. It's time to dedicate the resources and put some teeth in the program so that the program will work. Systematic reforms, more tools, less cumbersome procedures and automation are needed to move the system into the 21st century. The legislation that I am introducing today takes a big step in that direction.

I commend the work of the Commission on Interstate Child Support, which released its findings and recommendations to Congress last summer. Indeed, some of the measures contained in the legislation I am introducing today, are included among the Commission's recommendations. I will work with my colleagues as we study the Commission's recommendations and move forward.

But I suspect that process will not proceed quickly. And I am ready to move now. Custodial parents need help now. My legislation, which focuses on specific tools that States can implement within a short period of time. I urge my colleagues to join with me in moving the Child Support Economic Security Act of 1993 quickly through Congress so that we can provide real relief to custodial parents now. At the same time, I know that my colleagues will want to examine the more long-term systemic overhauls to the IV-D system that have been proposed.

I urge my colleagues to join with me in co-sponsoring this important legislation. It is time for the receipt of child support to be as automatic as the receipt of Social Security is to our Nation's senior citizens. While parents with child support obligations may try to avoid their child support responsibilities, they should not be allowed to hide from them. We owe this much to our children.

LEGISLATION TO ABOLISH THE INTERSTATE COMMERCE COM- MISSION

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. HEFLEY. Mr. Speaker, today I am introducing legislation to abolish the Interstate Commerce Commission [ICC]. This is the fourth Congress that I have introduced this legislation, and while the political climate has changed dramatically since the free-market days of that first bill, I continue to believe that the ICC has outlived its usefulness and should be shut down.

The ICC was created in 1887 in response to public outcry over abuses committed by the emerging railroad industry. The legislation which created the ICC, the Interstate Commerce Act, required that rates be reasonable and just and prohibited discrimination, price fixing, or rebates. The bill comprised 10 pages of legislation.

Years later, after the ICC's responsibilities had been expanded to include the trucking, busing, and moving industries, that act had over 500 pages of statutes.

This growth would be fine if there were a real need for the work that the ICC does. The purpose of the ICC is to protect consumers

and shippers from discrimination and cutthroat pricing practices. At one time, the ICC may have played an important role in curbing these abuses and enabling infant industries and communities to develop and prosper.

Eighty years after its inception, however, those industries regulated by the ICC were definitely not prospering. Many observers believed that rather than protect consumers and shippers, the primary effect of the ICC's policies was to protect established companies from competition, inflating rates, and taking billions from consumers through excess charges.

In response to these concerns, Congress initiated a wave of reforms that deregulated to one degree or another all of the industries under the ICC's authority. These reforms included the Staggers Rail Act of 1980, the Motor Carrier Act of 1980, the Household Goods Transportation Act of 1980, and the Bus Regulation Reform Act of 1982 and they left the ICC with diminished responsibilities and a correspondingly smaller budget.

At the time Congress was acting on these reforms, critics claimed that deregulation would allow the affected industries to resume their previous abuses and cause a general increase in transportation costs to consumers. Just the opposite has been true.

Deregulation of the rail, trucking, busing, and moving industries has resulted in increased competition and lower costs to consumers. In the last 12 years, literally billions of dollars have been saved by consumers. The success of deregulation brings the whole purpose of the ICC into question. Why do we need an independent agency to regulate prices when the markets are fully capable of regulating themselves?

The bill I am introducing today recognizes the diminished role of the ICC and takes the next logical step. The bill would abolish the ICC by the end of fiscal year 1995 and transfer its remaining duties to other appropriate agencies.

This is not a deregulatory bill. All the current responsibilities shouldered by the ICC would be transferred to other agencies. The ICC's rail freight functions would be transferred to the Department of Transportation and its residual regulatory and enforcement responsibilities would be transferred to the Federal Trade Commission and the Department of Justice.

This bill will not disemploy career civil servants. All civil servants employed by the ICC would be transferred to those agencies which assume its functions. The only jobs eliminated by this legislation are those positions held by political appointees.

This is not a partisan bill. Most of the deregulation affecting the ICC occurred under the Carter administration with the assistance of a Democratic Congress.

This is a good government bill. We currently spend \$40 million a year to continue an independent agency whose job could be carried out by existing agencies. While this bill won't save all \$40 million, it will result in significant savings and help streamline Government.

As we move into the 21st century, the United States must continue to become more competitive in the global marketplace. This will require more efficiency from both the private sector and the Government. The elimination of the ICC represents a commitment to move the

country in the right direction. This bill will trim the size of the Federal bureaucracy, make the Government more efficient, and save the taxpayer money.

CAN YOU SPOT THE TRUTH ABOUT PHARMACEUTICAL DRUG PRICES?

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. STARK. Mr. Speaker, I would like to share with you the information contained in the Pharmaceutical Manufacturers Association's version of how the drug industry is doing, compared to what I call the Pete Stark Reality Association's version of how the drug industry is doing.

The PMA has been running an ad which includes a tearsheet from *Fortune* magazine. The story from which it was taken discussed how American industry stacks up. The pharmaceutical manufacturers were more than happy to show their A grade as a score for United States competitiveness relative to Japan and Europe. They failed to point out that this competitiveness grade is probably based on the Government subsidies, National Institutes of Health research, R&D and other tax credits, and generous patent protection given to the drug industry compliments of the American taxpayer. They go on to try and imply that the reason they got such a high mark is based on the industry's research rather than on their sky-high profits.

As founder, inventor, and CEO of what I'll call the Pete Stark Reality Association, I'll give you the real picture.

The real scorecard of the pharmaceutical industry shows an industry which distorts the truth in their advertisements while reaping huge profits at the expense of America's health. The real scorecard shows an industry who gets an F in market competition because of their virtual oligopoly and jacked up prices; an F in United States prices versus Canadian prices because of their practice of charging American consumers far more than they charge Canadian consumers; an F in affordability for seniors who have been hurt the most, both in their pocketbook and quality of health, by skyrocketing drug prices; a D-minus in containing health costs due to the fact that they are one of the downright selfish culprits in our gigantic health inflation; a D in the affordability of drugs overall for the very same reasons; a D in product innovation and a C-minus in research expenditures because of their abuse of Government subsidies for research and development and greater concern for good marketing rather than good innovation. Finally, by all means, they deserve at least three A's in marketing because of the incredible amount of money they put into it and their amazing ability to sucker us, the consumers, into believing that they're doing all they can on our behalf.

My version of the ad points out that a grossly expensive ad campaign is the Pharmaceutical Manufacturer Association's strength. In the past 5 years, prescription drug companies have had profit margins four times the

rate of the average Fortune 500 company. Their prices have soared at four times the rate of inflation. While their profits have gone up over 200 percent, their R&D has gone up less than 10 percent. Nonetheless, they try to keep their consumers happy by spending some of these profits on expensive ad campaigns that distort the truth. And their prices are still soaring. Ethical? No. Profitable? Indeed. Pharmaceutical ad campaigns are cheap tactics at a high price.

If you too would like to find out how pharmaceutical companies really spend most of their money, I'll give you a hint; it's not on R&D. And if you want to know more about the legislation that hopes to change their practices, I welcome you to give me a call and read some of my legislation to contain the costs of prescription drugs and work for a cure for our health crisis.

TRIBUTE TO SAMMIE R. YOUNG

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mrs. MORELLA. Mr. Speaker, Mr. Sammie R. Young, a man noted for his tough but fair compliance stance on matters affecting the quality and safety of the Nation's drug and biologics supply, retired from the Food and Drug Administration [FDA] on November 3, 1992, after more than 41 years of dedicated Government service.

Mr. Young's retirement is considered by the people who worked with him as the passing of an era. He has always been highly respected for his knowledge of and experience in FDA compliance actions relating to pharmaceutical law and regulation. The loss of his expertise and highly valued guidance has already been felt.

Throughout his career, Mr. Young—a resident of Montgomery County, MD—consistently demonstrated the highest level of dedication to the American public health and welfare. He has devoted his full attention to the management and improvement of the FDA's human drug and biologics programs. His personal efforts have substantially contributed to the safety and effectiveness of regulated pharmaceutical products by virtue of continued surveillance and compliance activities managed by FDA.

Mr. Young began his Government career following graduation from the University of Florida. Mr. Young first served as an FDA investigator in the Agency's Dallas district office and was subsequently reassigned to FDA's Philadelphia district office where he served as a drug specialist investigator and supervisory investigator.

In 1971, Mr. Young transferred to FDA headquarters in Rockville, MD, where he assumed regulatory and enforcement duties in the then Bureau of Drugs. Following this, he was assigned to the Office of Associate Commissioner for Compliance. In 1974, Mr. Young was selected and completed the FDA Executive Development Program gaining further regulatory experience. He was promoted and reassigned to the then Bureau of Biologics as

Director of Compliance. Mr. Young was instrumental in the development and implementation of the surveillance and compliance programs for all biological products, including blood, blood products, plasma and vaccines regulated by FDA Bureau of Biologics.

In 1983, following a reorganization, Mr. Young was designated as the Deputy Director of the Office of Compliance in the now Center for Drug Evaluation and Research [CDER], the position he held until his retirement. While in this position, Mr. Young directed legal actions and was known for his outstanding performance in resolving complex regulatory problems by developing and applying new approaches in the area of assuring drug safety and efficacy.

Mr. Young personally directed and monitored a little-known but critically important program at FDA in cooperation with the World Health Organization's [WHO] Scheme to Assure the Quality of Pharmaceuticals in International Commerce. FDA is recognized by WHO as the only competent authority in the United States for issuing a certification on the quality of domestically produced drugs which are exported all over the world. Mr. Young's work in this program has contributed to the ability of U.S. pharmaceutical manufacturers and distributors to export American drugs without difficulty and thus he has significantly contributed his assistance to aiding in our Nation's attempts to achieve a favorable balance of trade.

Mr. Young has received the Agency's highest award, the Award of Merit, in 1989 for his efforts toward the development of the FDA Personnel Guide for the Evaluation of Non-supervisory Consumer Safety Officers—compliance officers—which for the first time created a mechanism whereby top-of-the-grade exceptional individuals in this field could achieve promotions based on their unique qualifications and expertise.

I am pleased to commend Mr. Young for his long and outstanding career as a dedicated public servant.

INTRODUCING THE COPYRIGHT REFORM ACT OF 1993

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. HUGHES. Mr. Speaker, today, joined by Mr. FRANK, I introduce the Copyright Reform Act of 1993. An identical bill is being introduced in the Senate. As chairman of the Subcommittee on Intellectual Property and Judicial Administration, I have a keen interest in the Copyright Office and the Copyright Royalty Tribunal, two agencies for which the subcommittee has oversight jurisdiction. In the case of the Copyright Royalty Tribunal, we have an agency that is both broken and unnecessary. In the case of the Copyright Office, we have an agency that would be benefited by some relatively minor changes.

During the recent election, the public made clear that it wants a leaner, more efficient Government. President Clinton has taken some steps to reduce the size of the executive

branch, and in his address to the Nation last night, he strongly reiterated the need to eliminate wasteful bureaucracy. The Copyright Reform Act of 1993 will bring needed reform to the administration of copyright in the legislative branch: It is a win-win bill that will eliminate an unnecessary agency, reduce the size of legislative branch employment, and remove bureaucratic obstacles to the enforcement of copyright.

EXPLANATION OF BILL
THE COPYRIGHT OFFICE

Title I of the bill concerns the operations of the Copyright Office. The Copyright Office is a part of the Library of Congress. The placement of the Copyright Office in the Library is an outgrowth of an 1870 centralization of the copyright registration and deposit requirements. Before 1870, copyright was secured by filing a prepublication copy of the title page of the work with the U.S. district court where the claimant resided, and by depositing, after publication, copies of the work with the Secretary of State. In 1870, both functions were assigned to the Library of Congress.

The 1870 centralization was extremely successful as a way for the Library of Congress to receive free books. So successful, in fact, that the Librarian of Congress requested the Congress to authorize the construction of a new building to house the deposits and the Library's administrative offices, which were, at the time, in the Capitol. The Librarian's request was fulfilled 27 years later, with the completion of the magnificent Thomas Jefferson Memorial Building, located across the street from the Capitol and adjacent to the Supreme Court.

The year 1897 was a banner year for another reason: The Congress authorized the Librarian to hire a Register of Copyrights to be in charge of the Copyright Department. Before 1897, copyright registration was, in many cases, handled personally by the Librarian.

The Copyright Reform Act of 1993 vests new responsibilities in the Register of Copyrights, including many presently assigned to the Copyright Royalty Tribunal. In light of these new responsibilities and certain separation of power issues discussed below in my explanation of title II of the bill, the act makes the Register a Presidential appointee, subject to the advice and consent of the Senate.

The legislation adopts other Copyright Office reforms that bear explanation. First, the bill repeals sections 411(a) and 412 of title 17, United States Code. Section 411(a) requires that copyright owners register their claim—or have that claim refused—before instituting an action for copyright infringement. Section 412 prohibits the courts from awarding attorney's fees and statutory damages to the copyright owner if the claim has not been registered before the infringement occurs. In the case of published works, there is a 3-month grace period measured from the date of first publication. Section 411(b), which provides special standing for certain works that are first fixed while being simultaneously transmitted, is retained, but amended to delete the registration requirement.

Sections 411(a) and 412 were reviewed during the debates that preceded passage of the Berne Implementation Act of 1988. That act left section 412 unamended, but created a

two-tier approach to registration under section 411(a): The copyright owner of a work whose country of origin is a Berne country other than the United States does not have to comply with section 411(a). All other copyright owners, including U.S. authors, however, must comply with that section.

While the two-tier approach permitted adherence to the Berne Convention, it has resulted in U.S. authors being less favorably treated than foreign authors. With Berne adherence behind us, it is time to rethink the two-tier approach. Retention of the section 411(a) requirement has been justified principally on two grounds:

First, it is argued that section 411(a) weeds out frivolous claims. The problem with this argument is that section 411(a) permits claimants to file suit after a rejection. Thus, at most, section 411(a) deters only the assertion of frivolous claims by those who are not sufficiently determined to bring suit after a rejection.

On the other hand, section 411(a), when coupled with section 412, has deprived individuals and small businesses from asserting meritorious claims. Visual artists have been unable to pursue cases of clear-cut copyright infringement because they have not registered their works before an infringement occurs. Many individuals and small businesses are simply unaware that they will be deprived of important remedies if they do not "file with the Government."

Even those who are aware of the section 412 penalty may not be able to avoid its deprivation of remedies. Photographers on assignment typically send their negatives to the newspaper or magazine that has temporarily hired them. Because the negatives remain in the custody of the newspaper or magazine, it is generally impossible for the photographer to comply with the deposit requirements. Because they cannot readily comply with the deposit requirements, they cannot register their work. Because they cannot register their work, they cannot receive attorney's fees and statutory damages pursuant to section 412. Even if photographers could register their works, because it is impossible to know beforehand when a work—or which work—will be infringed, in the case of published photographs photographers are faced with the burden of having to register hundreds, if not thousands of photographs at an obviously prohibitive cost.

Second, it was argued that repeal of section 411(a) and 412 would adversely affect the Library of Congress' acquisition of deposits. The legislation, however, retains the mandatory deposit requirement of section 407 for the benefit of the Library of Congress, the voluntary registration provision of section 408, and the prima facie status that certificates of registration are given under section 410(c). Under section 410(c) a certificate of registration obtained within 5 years of first publication constitutes prima facie evidence of the validity of the copyright and of the facts stated therein. This evidence is often quite useful in preliminary injunction proceedings. Thus, nothing in the bill directly affects the Library's acquisition practices.

During the debates over Berne adherence, it was argued that repeal of section 411(a) would indirectly weaken the Library's acquisi-

tions because fewer deposits would be received under the separate section 408 voluntary registration system. The effect on section 407 as a result of repeal of section 411(a) was, I believe, vastly overstated in those debates. In 1991, 634,797 claims to copyright a year were filed with the Copyright Office, while only 1,831 suits for copyright infringement were filed. Obviously, the vast majority of claimants register for reasons unconnected with litigation.

Repeal of section 411(a) can have no effect on the Library's ability to acquire deposits it needs since section 407 is unamended. Thus, as in the past, the Library retains the full authority to demand, backed up by the Justice Department, any and all copies of copyrighted works published in the United States, entirely apart from the registration system.

I also note that a 1983 policy decision of the Copyright Office and the Librarian of Congress permits the destruction of deposit copies of published works submitted for registration—other than works of visual art—after 5 years. Deposit copies of works of the visual art may be destroyed after 10 years.

Perhaps even more significantly, Copyright Office regulations, approved by the Librarian of Congress, completely exempt the following categories of works from the section 407(a) deposit requirements:

First, diagrams and models illustrating scientific or technical works or formulating scientific or technical information in linear or three-dimensional form, such as an architectural or engineering blueprint, plan, or design, a mechanical drawing, or anatomical model.

Second, greeting cards, picture postcards, and stationery.

Third, lectures, sermons, speeches, and addresses when published individually and not as a collection of the works of one or more authors.

Fourth, literary, dramatic, and musical works published only as embodied in phonorecords.

Fifth, automated databases available only online in the United States.

Sixth, three-dimensional sculptural works, and any works published only as reproduced in or on jewelry, dolls, toys, games, plaques, floor coverings, wallpaper and similar commercial wall coverings, textiles and other fabrics, packaging material, or any useful article.

Seventh, prints, labels, and other advertising matter, including catalogs published in connection with the rental, lease, lending, licensing, or sale of articles of merchandise, works of authorship, or services.

Eighth, tests, and answer material for tests when published separately from other literary works.

Ninth, works first published as individual contributions to collective works.

Tenth, works first published outside the United States and later published in the United States without change in copyrightable content if registration is made under section 408.

Eleventh, works published only as embodied in a soundtrack that is an integral part of a motion picture.

Twelfth, motion pictures that consist of television transmission programs and that have been published, if at all, by reason of a license or grant to a nonprofit institution of the right to make a fixation of the program directly from a transmission to the public.

A cursory review of reported court opinions reveals that a significant amount of litigation involves works falling within one of these exempt categories.

Given the infinitesimal amount of works involved in litigation relative to the number registered—to say nothing of those created but not registered; the exemption from the Library deposit requirements for much subject matter involved in litigation, and the possible destruction of deposit copies after 5 years, repeal of the section 411(a) and 412 requirements should not in any way impact adversely on the Library's acquisition activities. I trust that as in the past, the Library will be diligent in ensuring that it obtains the material it needs.

The final amendment made in title I of the bill relating to the Copyright Office's functions reverses the decisions in *National Peregrine, Inc. v. Capitol Federal Savings and Loan*, 116 Bankr. 194 (Bank. C.D. Cal. 1990) and *Official Unsecured Creditors' Committee v. Zenith Productions, Ltd. (in re AEG Acquisition Corp.)*, 127 Bankr. 34 (Bank. C.D. Cal. 1991), to the extent those decisions held that State Uniform Commercial Code statutes for perfecting security interests are preempted by sections 205 and 301 of the Copyright Act. These decisions have required individuals or organizations taking copyrights as security for financing or loans to comply with the recordation requirements of section 205 of title 17, United States Code, or be deemed an unsecured creditor. Since section 205(c)(2) also requires registration for the work, a considerable amount of time and expense is required in order to comply with these decisions.

These decisions have turned a relatively simple business transaction into a nightmare for businesses and lenders. Moreover, given that a number of lenders have, in the past, only made UCC filings, there is considerable uncertainty about past transactions. This uncertainty is heightened by lenders' inability to register the work.

Congress' intent in enacting the relevant provisions in section 205 was to provide a system for ordering the priority between conflicting transfers, not to preempt state procedures for ensuring that a secured creditor's rights are protected. There is no reason the Federal and State systems cannot coexist in this area.

I am aware that similar issues have arisen with respect to filings in the Patent and Trademark Office. I plan to meet with the Patent and Trademark Office and the affected interests and learn whether amendments should be made to this bill to take into account difficulties in the patent and trademark field.

COPYRIGHT ROYALTY TRIBUNAL

Title II of the bill abolishes the existing Copyright Royalty Tribunal [CRT] and reassigns its functions to the Register of Copyrights and to ad hoc arbitration panels.

The Copyright Royalty Tribunal is an agency whose members have very little to do; perhaps as a result, the three CRT Commissioners seem to spend most of their time feuding. They can well afford to feud: The current salary for Tribunal members is \$111,800 per year. The Tribunal's functions can, and under the legislation will be, performed by ad hoc arbitration panels convened by the Register of Copyrights. This procedure was proposed in

earlier versions of the revision bills that led to the 1976 Copyright Act, but was abandoned in response to the Supreme Court's January 1976 decision in *Buckley v. Valeo*, 424 U.S. 1 (1976). The Buckley concern arose because the Register of Copyrights was not a Presidential appointee. Since this bill makes the Register of Copyrights a Presidential appointee, any Buckley problems are removed.

Abolition of the Copyright Royalty Tribunal and its replacement with ad hoc arbitration panels has a number of significant advantages. First, taxpayers will benefit by not having to help foot the bill for an unnecessary agency. Second, copyright royalty claimants will benefit by not having to foot the largest part of that bill. Currently, the bulk of the Tribunal's costs are deducted from royalties. By employing ad hoc arbitration panels, administrative costs can be reduced, resulting in increased royalty payments to authors. Third, since the claimants will bear the full costs of arbitration, they will have an extra incentive to reduce the number of issues adjudicated, leading to fewer controversies, and increased royalties. Finally, arbitrated rates can be expected to more closely resemble market rates than a Government-set compulsory license fee.

The experience with arbitration under the section 119 statutory license was a positive one, and indicates that the approach taken in the legislation introduced today can work for the other royalty schemes in title 17.

Somewhat simplified, the legislation takes the following approach: The time tables for adjustment of the compulsory license rates in the statute are left in place. Where there is no controversy over the distribution of royalty fees, the Register of Copyrights will distribute the fees. Where there is such a controversy, the distribution will be made by an ad hoc arbitration panel. In a procedure adapted from the section 119 statutory license, arbitrated decisions may be appealed to the Register of Copyrights. The Register of Copyrights' decision may be appealed to the U.S. Court of Appeals for the District of Columbia. In order to avoid any disruption in present business practices, the legislation preserves all royalty rates and distribution allocations, whether fixed by statute, by the Copyright Royalty Tribunal, or by voluntary agreement, in effect on January 1, 1994, until such time as those rates are adjusted by an arbitration panel or voluntary agreement.

The legislation makes no substantive changes in the existing compulsory licenses, with one exception. Section 116, covering performance of nondramatic works by jukeboxes, is repealed. Section 116A, which superseded section 116 in the Berne Implementation Act of 1988, is renumbered section 116, and as elsewhere in the bill, the Copyright Royalty Tribunal's functions are delegated to the Register of Copyrights and to the ad hoc arbitration panels. The availability of arbitration will provide a sufficient safety net for jukebox operators in the event that voluntary negotiations are unsuccessful.

THE HAMPTON UNIVERSITY CONCERT CHOIR AND HAMPTON PARENT'S CLUB

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. WYNN. Mr. Speaker, I rise in order to pay tribute to the Hampton University Concert Choir and the Hampton University Parent's Club.

The Hampton University choir is affiliated with Hampton University in Virginia, a historically black college that marks its 125th anniversary this year. I want to commemorate the Hampton University Concert Choir for its excellent performances over the past year. Choir members will perform this Sunday, February 7, at the Zion Baptist Church in Washington, DC, as part of Black History Month activities planned in Washington, DC.

The choir is one of the most famous concert choirs in this country and abroad. Performers have sung everything from classical concertos to arias, choral music to gospel spirituals, and even contemporary music.

Under the direction of Roland Carter, the Hampton Concert Choir has toured and performed in Europe, the Virgin Islands, New York, Philadelphia, and Washington. Members also performed at the Interlochen Fine Arts Camp in Michigan. The choir has also premiered the music of well-known and innovative composers, including Noel Da Costa and Robert Nathaniel Dett.

I especially want to thank the Hampton Parent's Club for their work with the choir. The club has been closely involved in raising scholarship money. Without the parent's work, the efforts of the choir would go unnoticed.

Mr. Speaker, I want to state my appreciation of and high regard for these talented performers and their parents.

NEW MEXICANS EARN FOOTPRINTS AWARD

HON. STEVEN SCHIFF

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 16, 1993

Mr. SCHIFF. Mr. Speaker, the State of New Mexico is a land of many peoples and many cultures—something of which all New Mexicans are justifiably proud. From the early explorer Esteban to the Buffalo Soldiers to the leaders of today, African-Americans have played a vital role in the history and the development of the Land of Enchantment.

As we celebrate Black History Month, it is my great honor and privilege to recognize four outstanding New Mexicans whose contributions to their communities and their State have earned them the prestigious "Footprints Award" of the Albuquerque Branch of the NAACP.

These four are Helena Washington, Diana Dorn Jones, Linger N. Douglas, and Raymond Hamilton.

Mrs. Washington, of Rio Rancho, has devoted great time and energy to performing arts

